



**CITY OF CENTRAL POINT
PLANNING COMMISSION AGENDA
November 2, 2010 - 6:00 p.m.**



Next Planning Commission
Resolution No. 775

I. MEETING CALLED TO ORDER

II. ROLL CALL

Connie Moczygemba, Chuck Piland, Pat Beck, Mike Oliver, Justin Hurley, Tim Schmeusser and Keith Wangle

III. CORRESPONDENCE

IV. MINUTES - Review and approval of October 5, 2010 Planning Commission Minutes

V. PUBLIC APPEARANCES

VI. BUSINESS

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- A. File No. 11008.** Consideration of a nonconforming designation of a building for the proposed operation of professional offices to be located in the Transit Oriented Development District – High Mix Residential (TOD-HMR) at 524 Manzanita Street, Central Point, Oregon, and identified on the Jackson County Assessor's map as 37S 2W 02CC, Tax Lot 2200. **Applicant: Rogue Federal Credit Union; Agent: CSA Planning Ltd./Craig Stone**

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- B. File No. 11009.** A public hearing to consider a Conditional Use Permit for the proposed operation of professional offices as a Class "A" nonconforming use to be located in the Transit Oriented Development District – High Mix Residential (TOD-HMR) at 524 Manzanita Street, Central Point, Oregon, and identified on the Jackson County Assessor's map as 37S 2W 02CC, Tax Lot 2200. **Applicant: Rogue Federal Credit Union; Agent: CSA Planning Ltd./Craig Stone**

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C. File No. 10010. A public hearing to consider amendments to the City of Central Point Municipal Code Section 17.44, Tourist and Professional Office District, Section 17.72, Site Plan and Landscaping Plan Approval, and Section 17.64 Off-Street Parking, and the addition of Section 17.75, Design Standards.

Applicant: City of Central Point

VII. DISCUSSION

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Transportation Growth Management Grant – East Pine Street Corridor
Refinement Plan – Public Oversight Committee

VIII. ADMINISTRATIVE REVIEWS

IX. MISCELLANEOUS

X. ADJOURNMENT

**City of Central Point
Planning Commission Minutes
October 5, 2010**

I. MEETING CALLED TO ORDER AT 6:00 P.M.

II. ROLL CALL

Commissioners Chuck Piland, Tim Schmeusser, Keith Wangle, Justin Hurley, Mike Oliver, and Pat Beck were present. Connie Moczygemba was absent.

Also in attendance were: Tom Humphrey, Community Development Director; Don Burt, Planning Manager; Connie Clune, Community Planner; Dave Jacob, Community Planner; Stephanie Holtey, Floodplain/Stormwater Coordinator; and Didi Thomas, Planning Secretary.

III. CORRESPONDENCE - None

IV. MINUTES

Keith Wangle made a motion to approve the minutes of the September 7, 2010 Planning Commission meeting as submitted. Tim Schmeusser seconded the motion. ROLL CALL: Oliver, yes; Hurley, abstained; Beck, yes; Schmeusser, yes; and Wangle, yes. Motion passed.

V. PUBLIC APPEARANCES – None.

VI. BUSINESS

- A. File No. 11007.** Consideration of removal of significant tree in Central Point East Subdivision per CPMC Section 12.36.040. **Applicant: Margie Runia**

Stephanie Holtey, Floodplain/Stormwater Coordinator, presented a staff report with issues concerning the removal of a cottonwood tree located partially on private property and also on a portion of the public right-of-way. The property owner involved proposes to replace it with a red sunset maple tree. Planning Commissioner Keith Wangle expressed a concern that to the best of his knowledge, no one in the tree trimming industry in the valley was aware that the City of Central Point had a tree code and asked that information be distributed on a community wide basis. In addition, he suggested that perhaps the City might want to define what a “significant” tree is.

Mike Oliver made a motion to approve the removal of the cottonwood tree located at 111 Meadowbrook Drive in Central Point and replace it with a red

sunset maple. Keith Wangle seconded the motion. ROLL CALL: Oliver, yes; Hurley, yes; Beck, yes; Schmeusser, yes; and Wangle, yes. Motion passed.

B. File No. 10010. Continued discussion of proposed amendments to the Tourist and Office-Professional (C-4) zoning district. **Applicant: City of Central Point**

Planning Manager Don Burt advised Commissioners that this was the final draft to be presented to them prior to scheduling a public hearing in the matter on November 2, 2010. Mr. Burt stated that staff had not heard anything back from the Department of Land Conservation & Development as of this date. In addition, there are no apparent issues with the ad hoc committee of business people who have also been reviewing the changes proposed.

Keith Wangle recommended that we have a tree ordinance, as well as defining “significant tree”. Justin Hurley requested that “medical and dental offices” be added to the list of permitted uses (item “j”).

Justin Hurley made a motion to direct staff to schedule a public hearing for November 2, 2010 on proposed amendments to the Tourist and Office-Professional (C-4) zoning district. Tim Schmeusser seconded the motion. ROLL CALL: Oliver, yes; Hurley, yes; Beck, yes; Schmeusser, yes; and Wangle, yes. Motion passed.

C. File No. 11001. A public hearing to consider forwarding a recommendation to the City Council on proposed Central Point Municipal Code amendments to provide uniform land development approval expiration dates and a process for review of time extension requests. **Applicant: City of Central Point**

Connie Clune, Community Planner, presented a staff report on proposed amendments to the Central Point Municipal Code to create uniform land development approval expiration dates. The amendments would provide for a one (1) year expiration date for all applications and establish extension approval as a Type I process to be reviewed by the community development director.

The public hearing was opened and as no one came forward to testify either for or against, the public portion of the hearing was closed.

Justin Hurley made a motion to approve Resolution No. 773, a resolution forwarding a favorable recommendation to the City Council for approval of the amendments to the Central Point Municipal Code, Title 16 and Title 17, Sections 16.10 – Tentative Plans, 16.12 – Final Plats, 17.05 – Applications and Types of Review, 17.66 – Application Review Process for the TOD District and Corridor, 17.68 – Planned Unit Development (PUD), 17.72 – Site Plan, Landscaping and Construction Plans, and 17.76 – Conditional Use Permits,

to provide for a uniform land development approval expiration date and extension request process. Pat Beck seconded the motion. ROLL CALL: Oliver, yes; Hurley, yes; Beck, yes; Schmeusser, yes; and Wangle, yes. Motion passed.

D. File No. 11002. A public hearing to consider forwarding a recommendation to the City Council on proposed Central Point Municipal Code amendments to Section 17.77, Accessory Dwelling Units (ADUs) for language to conform to the Public Works Department Chapter 13 standards. **Applicant: City of Central Point**

Community Planner Connie Clune presented a request to amend Section 17.77 of the Central Point Municipal Code (Accessory Dwelling Units) to conform to previously amended language in Section 13.04.100, Water Rates and Regulations, of the code, which would provide for one water meter to serve both a primary residence and an accessory dwelling unit located on the same parcel of property. In addition, the requested amendments would specify the application for an accessory dwelling unit as a Type I review procedure.

The public hearing was opened and as no one came forward to testify either for or against, the public portion of the hearing was closed.

Mike Oliver made a motion to approve Resolution No. 774, a resolution forwarding a favorable recommendation to the City Council for approval of amendments to Central Point Municipal Code Title 17 Section 17.77, Accessory Dwelling Units (ADUs). Tim Schmeusser seconded the motion. ROLL CALL: Oliver, yes; Hurley, yes; Beck, yes; Schmeusser, yes; and Wangle, yes. Motion passed.

VII. DISCUSSION

Urban Reserve Management Agreements

Tom Humphrey, Community Development Director, explained to Commissioners that during, and in conjunction, with the process of adopting the Regional Plan, the County and each of the cities involved, enter into an Urban Reserve Management Agreement whereby the parties make certain agreements to the development of lands in proposed urban reserve areas. Although the lands continue to remain under the jurisdiction of Jackson County, conceptual plans will be developed and larger parcel sizes will remain in 40 acre minimum parcel size for non-resource lands as part of the agreement. The agreement puts in place the legalities of what the City and the County will and won't do during the pendency of the Plan approval. Central Point will be asking that no new development occur on parcels containing less than 40 acres.

VIII. ADMINISTRATIVE REVIEWS

IX. MISCELLANEOUS

Transportation Growth Management Grant

Mr. Humphrey advised that Community Planner Dave Jacob has been involved with the Transportation Growth Management Grant which will evaluate and compare the advantages and disadvantages of converting Pine Street from four lanes to three lanes. A consultant will be selected in November with a project schedule to follow.

Mosaics Contributed by Crater High School

The art department at Crater High School has donated mosaics made by students to be mounted on buildings around the City.

X. ADJOURNMENT

Keith Wangle made a motion to adjourn the meeting. Mike Oliver seconded the motion. Meeting was adjourned at 6:50 p.m.

The foregoing minutes of the October 5, 2010 Planning Commission meeting were approved by the Planning Commission at its meeting on the 2nd day of November, 2010.

Planning Commission Chair

**NONCONFORMING DESIGNATION FOR
524 MANZANITA STREET —
ROGUE FEDERAL CREDIT UNION**



STAFF REPORT

November 2, 2010

AGENDA ITEM: File No. 11008

Consideration of a Nonconforming Designation of a building for the proposed operation of professional offices. The building is located in the Transit Oriented Development District (TOD) High Mix Residential/Commercial (HMR) zoning district and identified on the Jackson County Assessor's map as 37S 2W 02CC, Tax Lot 2200. The proposed space is located at 524 Manzanita Street, Central Point, OR 97502 (**Applicant: Rogue Federal Credit Union; Agent: CSA Planning Ltd/Craig Stone**)

STAFF SOURCE:

Dave Jacob, Community Planner

BACKGROUND:

The applicant is requesting a Class "A" Nonconforming designation for a 11,216 sq. ft. office building (the "Structure") to allow its continued use for professional office purposes. The Structure is located on the northeast corner of 6th Street and Manzanita Street, and was designed and constructed in 1974 as a single-story office building. At the time of its construction, the property was zoned C-3, which allowed offices as a Permitted Use. In 2000, the property was rezoned from C-3 to High Mix Residential (HMR), becoming a nonconforming structure at that time.

CPMC Section 17.56.030, Classification Criteria, requires that all nonconforming uses/structures be designated as either Class "A" or "B" nonconforming uses/structures. At this time the Structure does not have a nonconforming classification. The continued operation of the Structure as an office requires designation of the Structure as a Class "A" nonconforming use/structure. The criteria for obtaining a Class "A" designation are set forth in CPMC, Section 17.56.030. The applicant's findings (Attachment "A") address the criteria necessary for a Class "A" designation.

ISSUES:

Approval of the Structure as a Class "A" nonconforming use/structure will provide for the continued use of the Structure for professional office purposes, subject to any conditions imposed by the Planning Commission. It is recommended that as a condition of the Class "A" designation that the continued use of the Structure as a professional office is subject to attainment of a Conditional Use Permit. Such a condition assures consistency with the intent of the HMR district and protection of adjacent properties.

CONDITIONS OF APPROVAL:

The structure may continue to be used for office purposes subject to receipt of a Conditional Use Permit authorizing use of the property for professional office purposes. Subsequent changes in use, other than residential or professional office, that are allowed in the HMR district shall be subject to receipt of a separate Conditional Use Permit for the new use.

FINDINGS:

Refer to Attachment "A"

ATTACHMENTS:

Attachment "A" – Applicant's Proposed Findings

Attachment "B" – Planning Department Supplemental Findings of Fact

Attachment "C" – Proposed Resolution

ACTION:

Consideration of Resolution No. ___, approving the proposed Nonconforming Class "A" designation.

RECOMMENDATION:

Approval of Resolution No. ___, granting the Nonconforming Class "A" designation.

**BEFORE THE CITY COUNCIL
FOR THE CITY OF CENTRAL POINT
JACKSON COUNTY, OREGON**

**IN THE MATTER OF APPLICATIONS FOR)
THE DETERMINATION OF A LAWFUL)
NONCONFORMING USE AND FOR A)
CONDITIONAL USE PERMIT FOR THE)
PURPOSE OF ENABLING AN OFFICE)
USE WITHIN AN EXISTING BUILDING TO)
CONTINUE BEING USED FOR)
PROFESSIONAL OFFICES ON LAND IN)
CENTRAL POINT AT THE SOUTHWEST)
CORNER OF THE INTERSECTION OF)
MANZANITA STREET AND PINE STREET)
Applicant: Rogue Federal Credit Union)**

**PROPOSED FINDINGS OF FACT
AND CONCLUSIONS OF LAW**

Applicants' Exhibit 1

I

NATURE, SCOPE AND INTENT OF APPLICATION

An existing building located at the southeast corner of Manzanita and Pine streets has been occupied by business and professional offices, most recently by Providence Medical Center, for outpatient care and medical/business offices. The property is zoned High Mix Residential (HMR). Offices are conditionally permitted in an HMR zone, provided it is a ground floor business within a multiple family building, has less than ten thousand square feet per tenant, and is adjacent to land zoned EC. The existing building has only a single story and was built in 1974, well before Central Point's adoption of the Transit Oriented Development (TOD) regulations with the building does not comply. As such, the single story office building is a nonconforming structure with respect to the requirement that offices are now restricted to a second floor. Therefore, for this building to be eligible for conditional use authorization as an office, it must be established as a lawfully nonconforming structure and have granted a conditional use permit. The purpose of these contemporaneously filed applications is:

- A. To establish the existing nonconforming building as a Class A nonconforming use pursuant to Central Point Zoning Ordinance (CPZO) 17.56.030(A), and
- B. To authorize the conditional use of said building as an office by the granting of a conditional use permit pursuant to CPZO 17.76.040.

II

EVIDENCE SUBMITTED WITH THE APPLICATION

Applicant has submitted the following evidence in support of this conditional use permit (CUP) application:

- Exhibit 1** The proposed Findings of Fact and Conclusions of Law (this document) which demonstrates how the application complies with the applicable substantive approval criteria for a Conditional Use Permit as set forth in the Central Point Zoning Ordinance.
- Exhibit 2** Completed Nonconforming Use and Conditional Use Permit application forms and a Limited Power of Attorney which authorizes CSA Planning, Ltd. to function as Applicant's agent in these proceedings
- Exhibit 3** Jackson County Assessor Map
- Exhibit 4** Zoning Map on Aerial Photo
- Exhibit 5** Map Of Existing Land Uses
- Exhibit 6** Photographs of Subject Building and Site

III

RELEVANT SUBSTANTIVE APPROVAL CRITERIA

The City Planning Commission concludes that that the following constitutes all of the relevant substantive criteria applicable to a Class A nonconforming use determinations and for the approval of conditional use permits. The approval criteria are recited verbatim below and in Section V where each is addressed with the conclusions of law of the Commission:

CLASS A NONCONFORMING USE DETERMINATION

17.56.030 Classification criteria. All nonconforming uses and structures within the city of Central Point shall be classified as either Class A or Class B nonconforming uses, according to the following criteria:

A. Properties containing nonconforming uses or structures may be designated Class A by the planning commission based upon findings that all of the following criteria apply:

1. Continuance of the existing use or structure would not be contrary to the public health, safety or welfare, or to the spirit of this title;
2. The continued maintenance and use of the nonconforming property is not likely to depress the values of adjacent or nearby properties, nor adversely affect their development potential in conformance with present zoning;



Findings of Fact and Conclusions of Law

Nonconforming Use Determination and Conditional Use Permit
Rogue Federal Credit Union: Applicant

3. The use or structure was lawful at the time of its inception and no useful purpose would be served by strict application of the provisions or requirements of this chapter with which the use or structure does not conform;
4. The property is not predominantly surrounded by conforming uses or structures and, considering current growth and development trends, is not reasonably expected to come under development pressures during the next five years;
5. The property is structurally sound, well-maintained, and occupied and used for the purpose for which it was designed;
6. Continuance of this nonconforming use will not in any way delay or obstruct the development or establishment of conforming uses on the subject property or on any adjacent or nearby properties in accordance with the provisions of the zoning ordinance.

CONDITIONAL USE PERMIT

17.76.040 Findings and Conditions. The planning commission in granting a conditional use permit shall find as follows:

- A. That the site for the proposed use is adequate in size and shape to accommodate the use and to meet all other development and lot requirements of the subject zoning district and all other provisions of this code;
- B. That the site has adequate access to a public street or highway and that the street or highway is adequate in size and condition to effectively accommodate the traffic that is expected to be generated by the proposed use;
- C. That the proposed use will have no significant adverse effect on abutting property or the permitted use thereof. In making this determination, the commission shall consider the proposed location of improvements on the site; vehicular ingress, egress and internal circulation; setbacks; height of buildings and structures; walls and fences; landscaping; outdoor lighting; and signs;
- D. That the establishment, maintenance or operation of the use applied for will comply with local, state and federal health and safety regulations and therefore will not be detrimental to the health, safety or general welfare of persons residing or working in the surrounding neighborhoods and will not be detrimental or injurious to the property and improvements in the neighborhood or to the general welfare of the community based on the review of those factors listed in subsection C of this section;
- E. That any conditions required for approval of the permit are deemed necessary to protect the public health, safety and general welfare and may include:
 1. Adjustments to lot size or yard areas as needed to best accommodate the proposed use; provided the lots or yard areas conform to the stated minimum dimensions for the subject zoning district, unless a variance is also granted as provided for in Chapter 17.13,
 2. Increasing street widths, modifications in street designs or addition of street signs or traffic signals to accommodate the traffic generated by the proposed use,
 3. Adjustments to off-street parking requirements in accordance with any unique characteristics of the proposed use,
 4. Regulation of points of vehicular ingress and egress,
 5. Requiring landscaping, irrigation systems, lighting and a property maintenance program,
 6. Regulation of signs and their locations,

Findings of Fact and Conclusions of Law

Nonconforming Use Determination and Conditional Use Permit
Rogue Federal Credit Union: Applicant

7. Requiring fences, berms, walls, landscaping or other devices of organic or artificial composition to eliminate or reduce the effects of noise, vibrations, odors, visual incompatibility or other undesirable effects on surrounding properties,
8. Regulation of time of operations for certain types of uses if their operations may adversely affect privacy of sleep of persons residing nearby or otherwise conflict with other community or neighborhood functions,
9. Establish a time period within which the subject land use must be developed,
10. Requirement of a bond or other adequate assurance within a specified period of time,
11. Such other conditions that are found to be necessary to protect the public health, safety and general welfare,
12. In considering an appeal of an application for a conditional use permit for a home occupation, the planning commission shall review the criteria listed in Section 17.60.190. (Ord. 1823 §5, 2001; Ord. 1684 §72, 1993; Ord. 1615 §55, 1989; Ord. 1533 §1, 1984; Ord. 1436 §2(part), 1981).

IV

FINDINGS OF FACT

The Planning Commission reaches the following facts and finds them to be true with respect to this matter. The below Findings of Fact support the Conclusions of Law of the Planning Commission as the same are set forth in Section V.

1. **Property Location:** The subject property is located on Manzanita Street at its intersection with Sixth Street within incorporated Central Point. The property is described in the records of the Jackson County Assessor as Tax Lot 2200 on map 37-2W-02CC.
2. **Subject Property Description, Acreage, Ownership:** The property is fully developed and occupied by a single story office building, required off-street parking, and appurtenances. The building, exclusive of basement, comprises 9936 square feet and was constructed in 1974. The property has 0.60 acre. Applicant, has given its consent for CSA Planning Ltd to submit the proposed land use applications on its behalf and the same is evidenced by a Limited Power of Attorney that has been included as part of Applicant's filing and has been made a part of the record.
3. **Zoning:** The property is presently zoned High Mix Residential (HMR) on the City of Central Point Zoning Map.
4. **Existing and Surrounding Land Uses:** Land uses in the surrounding area are shown on the Exhibit 5 map. Other nonconforming uses and structures abut or lie directly across Manzanita Street from the subject property and are within the same HMR zoning district.



V

CONCLUSIONS OF LAW

The following conclusions of law and ultimate conclusions are based on the findings of fact contained in Section IV above and the evidence enumerated in Section II. The below conclusions of law of the Central Point Planning Commission are preceded by the approval criteria to which they relate:

CLASS A NONCONFORMING USE DETERMINATION

17.56.030 Classification criteria. All nonconforming uses and structures within the city of Central Point shall be classified as either Class A or Class B nonconforming uses, according to the following criteria:

A. Properties containing nonconforming uses or structures may be designated Class A by the planning commission based upon findings that all of the following criteria apply:

Criterion 1

1. Continuance of the existing use or structure would not be contrary to the public health, safety or welfare, or to the spirit of this title;

Discussion; Conclusions of Law: The Planning Commission concludes that the subject single story building has, until recently, been used as a professional medical office occupied by Providence Medical Center for outpatient and medical/business services. Neither Applicant nor the Planning Commission are aware of any aspects of the building's former use that has produced any impact upon the public health, safety and general welfare, and no party testified nor introduced evidence to the contrary. In fact, medical offices typically produce greater levels of traffic and off-street parking than do typical business offices. As such, the Planning Commission concludes that the building's continued use as offices will not produce any additional levels of traffic nor other impacts which are different or greater than those which have historically existed within or by reason of use of this building for office purposes. For these reasons, the Commission concludes that this application is consistent with Criterion 1.

Criterion 2

2. The continued maintenance and use of the nonconforming property is not likely to depress the values of adjacent or nearby properties, nor adversely affect their development potential in conformance with present zoning;

Discussion; Conclusions of Law: As explained in the findings of fact in Section IV, the single story building now exists and, until recently, was used for medical outpatient care and medical/business offices by Providence Medical Center. The proposal now before the City of Central Point is to permit the continued use of the building for professional offices to be occupied by employees of Rogue Federal Credit Union. No exterior changes to the building are now proposed and off-street parking is sufficient to



accommodate the intended use. In point of fact, the Commission concludes that medical offices typically produce greater requirements for parking and greater traffic impacts than is anticipated for general business offices now proposed. Given that the building already exists and the intended future use will produce fewer traffic impacts and need for less off-street parking, the Commission concludes that the continued maintenance and use of the this property is not likely to depress the values of adjacent or nearby properties, nor adversely affect their development potential in conformance with present zoning, consistent with Criterion 2.

Criterion 3

3. The use or structure was lawful at the time of its inception and no useful purpose would be served by strict application of the provisions or requirements of this chapter with which the use or structure does not conform;

Discussion; Conclusions of Law: This building was constructed long before the adoption of Central Point's Transit Oriented Development (TOD) regulations. Building permits for the building were properly obtained from the City of Central Point at the time the building was constructed (in 1974) and there is no evidence to the contrary. Application of the city's TOD regulations, which restricts professional offices to only a second story, will have the effect of enjoining office uses from now lawfully occupying this existing single story office building. In this regard, neither Applicant nor the Commission is aware of any useful purpose to be served by strict application of the city's regulations which, again, will prevent office use of this existing building which was designed for and occupied by office uses. Based upon the foregoing findings of fact and conclusions of law, the Commission concludes that the application is consistent with the requirements of Criterion 3 because the subject structure was lawful at the time of its inception and no useful purpose would be served by strict application of the provisions or requirements of this chapter with which the use or structure does not conform;

Criterion 4

4. The property is not predominantly surrounded; by conforming uses or structures and, considering current growth and development trends, is not reasonably expected to come under development pressures during the next five years;

Discussion; Conclusions of Law: As shown on Exhibit 5, the subject property is surrounded, among other uses, by three single family dwellings located north and across Manzanita from the property (two are immediately across Manzanita), and by Central Point Physical Therapy located to the west. Neither single family detached residential dwellings nor the physical therapy use, are permitted within the HMR zone — the zone in which the subject property is located. As such, the Planning Commission concludes that the property is *not* predominantly surrounded by conforming uses or structures.

Criterion 4 has two parts. The second is whether, based upon a consideration of current growth and development trends, this property is not reasonably expected to come under development pressures during the next five years. The Commission is aware that current growth and development in Central Point (and elsewhere) have trended down during the past two to three years, due in part to a larger and widespread economic recession that often characterized as a national or even global recession. As to what is a reasonable expectation for a period five years hence, is of course unknown. However, the standard requires only there be no reasonable expectation that the property will not come under development pressures over the next five years. Based upon the state of the local, state, national and international economies, and the availability of vacant land that permits the same uses allowed in the HMR zone, the Commission concludes there to no reasonable expectation that this property will come under development pressures over the ensuing five year period.

Based upon the foregoing findings of fact and conclusions of law, the Planning Commission concludes that the application is consistent with the requirements of Criterion 4.

Criterion 5

5. The property is structurally sound, well-maintained, and occupied and used for the purpose for which it was designed;

Discussion; Conclusions of Law: The photographs in Exhibit 6 show the property to be structurally sound and well maintained. The building and other site improvements was constructed in 1974. The building, by its design, appearance, and occupancy was intended to supply offices for professional medical uses and it cannot be reasonably expanded vertically to be consistent with the requirements of the Central Point Zoning Ordinance. Even if a second story could be provided (to accommodate residential use pursuant to CPZO Table 1 in 17.65.050, the property would then lack sufficient off-street parking. As such, the building cannot reasonably be made conforming. Based upon the foregoing, the Planning Commission concludes that the application is consistent with the requirements of Criterion 5.

Criterion 6

6. Continuance of this nonconforming use will not in any way delay or obstruct the development or establishment of conforming uses on the subject property or on any adjacent or nearby properties in accordance with the provisions of the zoning ordinance.

Discussion; Conclusions of Law: As aforementioned, the subject building was constructed as an office in 1974 and has been occupied for that purpose. Permitting the building to continue its occupancy as an office (and with no needed improvements to the

exterior of the building nor the site) will not (and cannot be reasonably expected to) produce any delay or obstruct either the development nor establishment of conforming uses because, based upon the evidence, the building has remaining economic utility and was designed to be an office. As such, the building has substantial remaining value that would make its removal (and replacement) with a conforming structure and use impractical; others wishing to construct a conforming building and use will simply acquire vacant land and construct a building for a specific purpose (or otherwise occupy or refurbish an existing building) and will not incur the substantial additional cost to demolish an existing building that has remaining economic value. The Commission also concludes there is nothing inherent in this property or its continued occupancy as an office which will in any way delay or obstruct the development of conforming uses on adjacent or nearby properties and there is no evidence to the contrary. Therefore, the Commission concludes that this application is consistent with Criterion 6.

CONDITIONAL USE PERMIT

17.76.040 Findings and Conditions. The planning commission in granting a conditional use permit shall find as follows:

Criterion A

A. That the site for the proposed use is adequate in size and shape to accommodate the use and to meet all other development and lot requirements of the subject zoning district and all other provisions of this code;

Discussion; Conclusions of Law: Applicant asserts and the Planning Commission concludes, that the adequacy of this site for the proposed use — a professional office — is evidenced by the fact that the office now exists, along with adequate required off-street parking, landscaping and appurtenances. No exterior improvements to the building or site are contemplated that would affect compliance with any of the city's physical development standards. While Applicant will want a sign to identify its business, permits for the same can and will be obtained under separate permit from the City of Central Point. Therefore, the Planning Commission concludes that this application is consistent with Criterion A.

Criterion B

B. That the site has adequate access to a public street or highway and that the street or highway is adequate in size and condition to effectively accommodate the traffic that is expected to be generated by the proposed use;

Discussion; Conclusions of Law: As shown on Exhibits 3, 4, and 5, the subject property fronts upon and takes access from both Manzanita and Sixth streets, both of which are fully improved municipal streets in Central Point's downtown. Manzanita has a paved travel surface approximately 36 feet in width and Sixth Street has a paving width of approximately 28 feet. Both streets are further improved with concrete curbs, gutters and

sidewalks. There are no planned capacity improvements for either street and none are needed. As to the adequacy of the street to accommodate traffic from the proposed use, the use is one that has, since 1974, existed and produced traffic. The intended use, also an office, will produce no greater traffic loading than that which has occurred in the past, in will likely produce less traffic. Based upon the foregoing findings of fact and conclusions of law, the Planning Commission concludes that the application is consistent with the requirements of Criterion B.

Criterion C

C. That the proposed use will have no significant adverse effect on abutting property or the permitted use thereof. In making this determination, the commission shall consider the proposed location of improvements on the site; vehicular ingress, egress and internal circulation; setbacks; height of buildings and structures; walls and fences; landscaping; outdoor lighting; and signs;

Discussion; Conclusions of Law: The building intended to house the proposed use was designed, constructed, and has, since 1974, been used as a professional office. In this instance, Applicant intends to use the building for its own professional offices. Because the historic and proposed use are the same, Applicant asserts and the Commission agrees, that to the extent there are any adverse effects from this building being used for professional offices, the adverse effects have existed since 1974; there is nothing to suggest that the proposed office use will have any greater or different effects than earlier office uses which have occupied the building. Moreover, no additional improvements are planned that would affect vehicular ingress, egress and internal circulation, setbacks, height of buildings and structures, walls and fences, landscaping or outdoor lighting. The only exterior feature contemplated to change (other than on-going routine maintenance and upkeep) will be the installation of a typical business sign(s) that identify the buildings use; any new signs will be required to comply with Central Point's sign ordinance. In all other respects, the occupancy and use of the building will not change nor will the intended professional office use produce any significant adverse effect on abutting property or the permitted uses thereof, consistent in all respects with Criterion C.

Criterion D

D. That the establishment, maintenance or operation of the use applied for will comply with local, state and federal health and safety regulations and therefore will not be detrimental to the health, safety or general welfare of persons residing or working in the surrounding neighborhoods and will not be detrimental or injurious to the property and improvements in the neighborhood or to the general welfare of the community based on the review of those factors listed in subsection C of this section;

Discussion; Conclusions of Law: The Planning Commission concludes that relevant local, state and federal health and safety regulations have been appropriately incorporated into the Central Point Municipal Code. That these have been properly incorporated into municipal ordinances have in large part been ensured by mandates of state government and its oversight on local land use planning pursuant to Oregon's Statewide Planning

Goals. Moreover, there is nothing to prevent Applicant from complying with all relevant health and safety related governmental regulations and Applicant is required to comply. For these reasons, the Planning Commission concludes that the application is consistent with the requirements of Criterion D.

Criterion E

E. That any conditions required for approval of the permit are deemed necessary to protect the public health, safety and general welfare and may include:

1. Adjustments to lot size or yard areas as needed to best accommodate the proposed use; provided the lots or yard areas conform to the stated minimum dimensions for the subject zoning district, unless a variance is also granted as provided for in Chapter 17.13,
2. Increasing street widths, modifications in street designs or addition of street signs or traffic signals to accommodate the traffic generated by the proposed use,
3. Adjustments to off-street parking requirements in accordance with any unique characteristics of the proposed use,
4. Regulation of points of vehicular ingress and egress,
5. Requiring landscaping, irrigation systems, lighting and a property maintenance program,
6. Regulation of signs and their locations,
7. Requiring fences, berms, walls, landscaping or other devices of organic or artificial composition to eliminate or reduce the effects of noise, vibrations, odors, visual incompatibility or other undesirable effects on surrounding properties,
8. Regulation of time of operations for certain types of uses if their operations may adversely affect privacy of sleep of persons residing nearby or otherwise conflict with other community or neighborhood functions,
9. Establish a time period within which the subject land use must be developed,
10. Requirement of a bond or other adequate assurance within a specified period of time,
11. Such other conditions that are found to be necessary to protect the public health, safety and general welfare,
12. In considering an appeal of an application for a conditional use permit for a home occupation, the planning commission shall review the criteria listed in Section 17.60.190. (Ord. 1823 §5, 2001; Ord. 1684 §72, 1993; Ord. 1615 §55, 1989; Ord. 1533 §1, 1984; Ord. 1436 §2(part), 1981).

Discussion; Conclusions of Law: The Planning Commission finds and concludes that the language in Criterion E does not operate as a decisional standard, but rather functions to provide municipal decision makers with guidelines to determine appropriate conditions that it may attach to approvals under this section of the CPZO. As such, no responsive findings of fact or conclusions of law are necessary and the Planning Commission concludes that the application is consistent by reason of inapplicability with respect to Applicant's burden of proof.

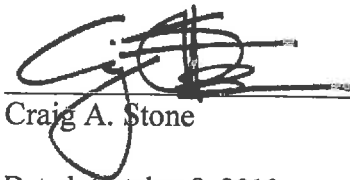
VII

ULTIMATE CONCLUSIONS

Based upon the preceding findings of fact and conclusions of law, the Planning Commission for the City of Central Point ultimately concludes that these contemporaneously filed land use applications conform with all of the relevant substantive approval criteria. Therefore, the Planning Commission orders that the same be and hereby are approved and that the subject property be added to the official list of Class A Nonconforming Uses pursuant to CPZO 17.56.030(A), and that a conditional use permit is hereby approved to permit this single story building to continue to be used for professional offices.

Respectfully submitted on behalf of Applicant Rogue Federal Credit Union:

CSA PLANNING, LTD.



Craig A. Stone

Dated: October 8, 2010

**SUPPLEMENTAL FINDINGS OF FACT
AND
CONCLUSIONS OF LAW
File No: 11008**

INTRODUCTION

These findings supplement the Applicant's findings as presented in Attachment "A" relative to the Non-Conforming Reclassification of a building for the proposed operation of professional offices. The proposed professional offices are located in the Transit Oriented Development District (TOD) High Mix Residential/Commercial zoning district and identified on the Jackson County Assessor's map as 37S 2W 02CC, Tax Lot 2200. The proposed space is located at 524 Manzanita Street, Central Point, OR 97502 (Applicant: Rogue Federal Credit Union. Agent: CSA Planning Ltd/Craig Stone)

17.56.030 Classification criteria.

All nonconforming uses and structure within the city of Central Point shall be classified as either Class A or Class B nonconforming uses, according to the following criteria:

- A. Properties containing nonconforming uses or structures may be designated Class A by the Planning Commission based upon findings that all the following criteria apply:*

- 1. Continuance of the existing use or structure would not be contrary to the public health, safety or welfare, or to the spirit of this title.*

Finding: The building in question was previously used as professional medical offices for outpatient services and related medical business services. The previous use of the structure did not have a negative impact on public health and/or safety or welfare of the surrounding neighborhood. The Applicant's proposed use of the building, administrative business offices, will have less impact related to traffic and on-street parking than the previous use since there would be less associated customer/patient traffic. Since the change in use is from one type of professional office to another, there will no additional impacts that are contrary to public health, safety or welfare, or the spirit of this title.

Conclusion: The applicant has met this criterion.

- 2. The continued maintenance and use of the nonconforming property is not likely to depress values of adjacent or nearby properties, nor adversely affect their development potential in conformance with present zoning.*

Finding: The Applicant's proposes to use the existing structure for a similar purpose as it has been used historically. No changes to the exterior of the structure are planned and off-street parking is adequate to meet High Mix Residential –Transit Oriented Development District (HMR-TOD) requirements

for the intended use – professional offices. Since the proposed use will have a similar impact on nearby properties as the previous use, it is not likely to have any negative or positive effect on values of adjacent or nearby properties.

Conclusion: The applicant has met this criterion.

3. The use or structure was lawful at the time of its inception and no useful purpose would be served by strict application of the provisions or requirements of this chapter with which the use or structure does not conform.

Finding: In reviewing City of Central Point building permits, the original building was constructed in 1974 and remodeled extensively in 1992. It was used as a professional offices / medical center until 2009 when the tenant moved to new facilities. The building was used as professional offices prior to the adoption of Central Point's Transit Oriented Development code. Under current HMR-TOD requirements, professional offices are restricted to a second story. Since it is a one story professional office building, it is a nonconforming structure. In this case, it would require an extensive reconstruction of the structure for it to meet current HMR-TOD requirements. Even with extensive reconstruction, the addition of residential uses would require additional off-street parking. The site as currently configured would not provide for the needed off-street parking these changes would require. Considering these issues, it would serve no useful purpose requiring strict application of CPMC in this case.

Conclusion: The applicant has met this criterion.

4. The property is not predominately surrounded by conforming uses or structures and, considering current growth and development trends, is not reasonably expected to come under development pressures during the next five years.

Finding: The property is surrounded primarily by nonconforming uses and structures including single-family residences and a single story professional office building housing a physical therapist. Since this is the case, the property is not predominately surrounded by conforming uses or structures. Concerning expected development pressure within the next five years, current economic conditions would preclude any extension redevelopment in the downtown corridor and locations near the subject property. With vacant commercial and residential lands readily available within the city, it is unlikely that the area near the property would be under pressure within five years so there is no reasonable expectation that development will occur.

Conclusion: The applicant has met this criterion.

5. The property is structurally sound, well-maintained, and occupied and used for the purpose for which it was designed.

Finding: The building was constructed in 1974 and has been well maintained. It is currently structurally sound and in good condition. Landscaping and parking areas have been maintained and remain in good condition as well. Prior to 2009, the building was used to house professional medical offices. The applicant will use the existing building for professional offices which is a similar purpose for which the building was originally designed.

Conclusion: The applicant has met this criterion.

6. Continuance of this nonconforming use will not in any way delay obstruct the development or establishment of conforming uses on the subject property or on any adjacent or nearby properties in accordance with the provisions of the zoning ordinance.

Finding: As stated previously, the building was constructed in 1974 as professional offices and used for that purpose. The applicant will use the existing building as professional offices. This will not obstruct development or establishment of conforming uses on the subject property. As stated previously, to make the building conforming an additional floor would need to be added. This is very unlikely to occur due to the availability of vacant commercial land and current economic conditions. Continued use of the structure as professional offices will have no impact on adjacent or nearby properties since most of the surrounding properties are currently nonconforming structures.

Conclusion: The applicant has met this criterion.

PLANNING COMMISSION RESOLUTION NO. _____

**A RESOLUTION GRANTING APPROVAL OF A NONCONFORMING USE
DESIGNATION OF A BUILDING FOR THE PROPOSED OPERATION OF ROGUE
FEDERAL CREDIT UNION PROFESSIONAL OFFICES**

**Applicant: Rogue Federal Credit Union. Agent: CSA Planning Ltd/Craig Stone
(37S 2W 02CC, Tax Lot 2200
524 Manzanita Street)
File No. 11008**

WHEREAS, the applicant submitted an application for a Nonconforming Use Designation for the operation of Rogue Federal Credit Union Professional Offices located are in the Transit Oriented Development District (TOD) High Mix Residential/Commercial zoning district and identified on the Jackson County Assessor's map as 37S 2W 02CC, Tax Lot 2200, APN 10133517.

WHEREAS, on November 2, 2010, the Central Point Planning Commission conducted a duly-noticed public hearing on the application, at which time it reviewed the City staff report and heard testimony and comments on the application; and

WHEREAS, the Planning Commission's consideration of the application is based on the standards and criteria applicable to the Nonconforming Uses section 17.56 of the Central Point Municipal code; and

WHEREAS, the Planning Commission, as part of the Conditional Use Permit application, has considered and finds per the Staff Report dated November 2, 2010, that adequate findings have been made demonstrating that the nonconforming use designation is consistent with the intent of the High Mix Residential/Commercial zoning district, now, therefore;

BE IT RESOLVED, that the City of Central Point Planning Commission, by this Resolution No. _____ does hereby approve the application based on the findings and conclusions of approval as set forth on Exhibit "A", the Staff Report dated November 2, 2010, which includes attachments, attached hereto by reference and incorporated herein.

PASSED by the Planning Commission and signed by me in authentication of its passage this 2th day of November, 2010.

Planning Commission Chair

ATTEST:

City Representative

Approved by me this 2th day of November, 2010.

Planning Commission Chair

**CONDITIONAL USE PERMIT –
524 MANZANITA STREET –
ROGUE FEDERAL CREDIT UNION**



STAFF REPORT

November 2, 2010

AGENDA ITEM: File No. 11009

Consideration of a Conditional Use Permit for the proposed operation of professional offices as a Class "A" nonconforming use. The proposed professional offices are located in the Transit Oriented Development District (TOD) High Mix Residential/Commercial (HMR) zoning district and identified on the Jackson County Assessor's map as 37S 2W 02CC, Tax Lot 2200. The proposed space is located at 524 Manzanita Street, Central Point, OR 97502. **Applicant: Rogue Federal Credit Union. Agent: CSA Planning Ltd/Craig Stone**

STAFF SOURCE:

Dave Jacob, Community Planner

BACKGROUND:

The Applicant is requesting a Conditional Use Permit to allow professional office use of the structure located at 524 Manzanita Street (the "Structure"). The Structure was built in 1974 for office use and has since been used for that purpose. The structure is designated as a Class "A" nonconforming use, which allows professional offices as a conditional use. The purpose of the conditional use designation is to ensure consistency with the intent of the HMR district and to protect adjacent properties.

As noted the Structure has historically been used for office purposes without complaints from adjacent properties. Figure 1 illustrates the abutting zoning, which is EC (Employment Commercial) and HMR (High Mix Residential/Commercial). Use of the Structure for professional office purposes complies with all zoning requirements, such as parking, access, etc.

There are 34 parking spaces available on the site. Under TOD requirements for professional offices, one space is required per 400 sq. ft. of floor

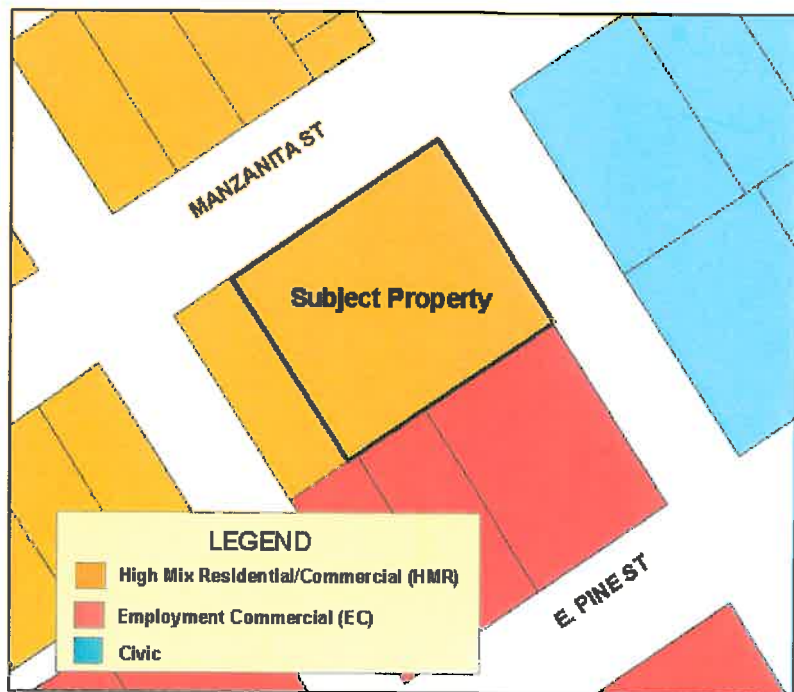


Figure 1. Subject Property and Abutting Zoning

area. The building is a total of 11,216 sq. ft. (ground floor=9,754; basement=1,462) which would require approximately 28 spaces. Additionally, the site would qualify for 25% reduction in parking spaces due to the availability of the local transit system.

The applicant has stated in their findings that all requirements as outlined under CPMC 17.76.040 have been met. **(Refer to Attachment 'A')**

ISSUES:

None.

CONDITIONS OF APPROVAL:

None

FINDINGS:

Refer to Attachment "A".

ATTACHMENTS:

Attachment "A" – Applicant's Findings

Attachment "B" – Planning Department Supplemental Findings of Fact

Attachment "C" – Rogue Valley Sewer Services Comments

Attachment "D" – Resolution

ACTION:

Consideration of Resolution No. ___, approving the proposed Conditional Use Permit.

RECOMMENDATION:

Approval of Resolution No. ___, granting a Conditional Use Permit.

**BEFORE THE CITY COUNCIL
FOR THE CITY OF CENTRAL POINT
JACKSON COUNTY, OREGON**

IN THE MATTER OF APPLICATIONS FOR)
THE DETERMINATION OF A LAWFUL)
NONCONFORMING USE AND FOR A)
CONDITIONAL USE PERMIT FOR THE)
PURPOSE OF ENABLING AN OFFICE)
USE WITHIN AN EXISTING BUILDING TO)
CONTINUE BEING USED FOR)
PROFESSIONAL OFFICES ON LAND IN)
CENTRAL POINT AT THE SOUTHWEST)
CORNER OF THE INTERSECTION OF)
MANZANITA STREET AND PINE STREET)
Applicant: Rogue Federal Credit Union)

**PROPOSED FINDINGS OF FACT
AND CONCLUSIONS OF LAW**

Applicants' Exhibit 1

I

NATURE, SCOPE AND INTENT OF APPLICATION

An existing building located at the southeast corner of Manzanita and Pine streets has been occupied by business and professional offices, most recently by Providence Medical Center, for outpatient care and medical/business offices. The property is zoned High Mix Residential (HMR). Offices are conditionally permitted in an HMR zone, provided it is a ground floor business within a multiple family building, has less than ten thousand square feet per tenant, and is adjacent to land zoned EC. The existing building has only a single story and was built in 1974, well before Central Point's adoption of the Transit Oriented Development (TOD) regulations with the building does not comply. As such, the single story office building is a nonconforming structure with respect to the requirement that offices are now restricted to a second floor. Therefore, for this building to be eligible for conditional use authorization as an office, it must be established as a lawfully nonconforming structure and have granted a conditional use permit. The purpose of these contemporaneously filed applications is:

- A. To establish the existing nonconforming building as a Class A nonconforming use pursuant to Central Point Zoning Ordinance (CPZO) 17.56.030(A), and
- B. To authorize the conditional use of said building as an office by the granting of a conditional use permit pursuant to CPZO 17.76.040.

II

EVIDENCE SUBMITTED WITH THE APPLICATION

Applicant has submitted the following evidence in support of this conditional use permit (CUP) application:

- Exhibit 1** The proposed Findings of Fact and Conclusions of Law (this document) which demonstrates how the application complies with the applicable substantive approval criteria for a Conditional Use Permit as set forth in the Central Point Zoning Ordinance.
- Exhibit 2** Completed Nonconforming Use and Conditional Use Permit application forms and a Limited Power of Attorney which authorizes CSA Planning, Ltd. to function as Applicant's agent in these proceedings
- Exhibit 3** Jackson County Assessor Map
- Exhibit 4** Zoning Map on Aerial Photo
- Exhibit 5** Map Of Existing Land Uses
- Exhibit 6** Photographs of Subject Building and Site

III

RELEVANT SUBSTANTIVE APPROVAL CRITERIA

The City Planning Commission concludes that that the following constitutes all of the relevant substantive criteria applicable to a Class A nonconforming use determinations and for the approval of conditional use permits. The approval criteria are recited verbatim below and in Section V where each is addressed with the conclusions of law of the Commission:

CLASS A NONCONFORMING USE DETERMINATION

17.56.030 Classification criteria. All nonconforming uses and structures within the city of Central Point shall be classified as either Class A or Class B nonconforming uses, according to the following criteria:

A. Properties containing nonconforming uses or structures may be designated Class A by the planning commission based upon findings that all of the following criteria apply:

1. Continuance of the existing use or structure would not be contrary to the public health, safety or welfare, or to the spirit of this title;
2. The continued maintenance and use of the nonconforming property is not likely to depress the values of adjacent or nearby properties, nor adversely affect their development potential in conformance with present zoning;



Findings of Fact and Conclusions of Law

Nonconforming Use Determination and Conditional Use Permit
Rogue Federal Credit Union: Applicant

3. The use or structure was lawful at the time of its inception and no useful purpose would be served by strict application of the provisions or requirements of this chapter with which the use or structure does not conform;
4. The property is not predominantly surrounded by conforming uses or structures and, considering current growth and development trends, is not reasonably expected to come under development pressures during the next five years;
5. The property is structurally sound, well-maintained, and occupied and used for the purpose for which it was designed;
6. Continuance of this nonconforming use will not in any way delay or obstruct the development or establishment of conforming uses on the subject property or on any adjacent or nearby properties in accordance with the provisions of the zoning ordinance.

CONDITIONAL USE PERMIT

17.76.040 Findings and Conditions. The planning commission in granting a conditional use permit shall find as follows:

- A. That the site for the proposed use is adequate in size and shape to accommodate the use and to meet all other development and lot requirements of the subject zoning district and all other provisions of this code;
- B. That the site has adequate access to a public street or highway and that the street or highway is adequate in size and condition to effectively accommodate the traffic that is expected to be generated by the proposed use;
- C. That the proposed use will have no significant adverse effect on abutting property or the permitted use thereof. In making this determination, the commission shall consider the proposed location of improvements on the site; vehicular ingress, egress and internal circulation; setbacks; height of buildings and structures; walls and fences; landscaping; outdoor lighting; and signs;
- D. That the establishment, maintenance or operation of the use applied for will comply with local, state and federal health and safety regulations and therefore will not be detrimental to the health, safety or general welfare of persons residing or working in the surrounding neighborhoods and will not be detrimental or injurious to the property and improvements in the neighborhood or to the general welfare of the community based on the review of those factors listed in subsection C of this section;
- E. That any conditions required for approval of the permit are deemed necessary to protect the public health, safety and general welfare and may include:
 1. Adjustments to lot size or yard areas as needed to best accommodate the proposed use; provided the lots or yard areas conform to the stated minimum dimensions for the subject zoning district, unless a variance is also granted as provided for in Chapter 17.13,
 2. Increasing street widths, modifications in street designs or addition of street signs or traffic signals to accommodate the traffic generated by the proposed use,
 3. Adjustments to off-street parking requirements in accordance with any unique characteristics of the proposed use,
 4. Regulation of points of vehicular ingress and egress,
 5. Requiring landscaping, irrigation systems, lighting and a property maintenance program,
 6. Regulation of signs and their locations,

Findings of Fact and Conclusions of Law

Nonconforming Use Determination and Conditional Use Permit
Rogue Federal Credit Union: Applicant

7. Requiring fences, berms, walls, landscaping or other devices of organic or artificial composition to eliminate or reduce the effects of noise, vibrations, odors, visual incompatibility or other undesirable effects on surrounding properties,
8. Regulation of time of operations for certain types of uses if their operations may adversely affect privacy of sleep of persons residing nearby or otherwise conflict with other community or neighborhood functions,
9. Establish a time period within which the subject land use must be developed,
10. Requirement of a bond or other adequate assurance within a specified period of time,
11. Such other conditions that are found to be necessary to protect the public health, safety and general welfare,
12. In considering an appeal of an application for a conditional use permit for a home occupation, the planning commission shall review the criteria listed in Section 17.60.190. (Ord. 1823 §5, 2001; Ord. 1684 §72, 1993; Ord. 1615 §55, 1989; Ord. 1533 §1, 1984; Ord. 1436 §2(part), 1981).

IV

FINDINGS OF FACT

The Planning Commission reaches the following facts and finds them to be true with respect to this matter. The below Findings of Fact support the Conclusions of Law of the Planning Commission as the same are set forth in Section V.

1. **Property Location:** The subject property is located on Manzanita Street at its intersection with Sixth Street within incorporated Central Point. The property is described in the records of the Jackson County Assessor as Tax Lot 2200 on map 37-2W-02CC.
2. **Subject Property Description, Acreage, Ownership:** The property is fully developed and occupied by a single story office building, required off-street parking, and appurtenances. The building, exclusive of basement, comprises 9936 square feet and was constructed in 1974. The property has 0.60 acre. Applicant, has given its consent for CSA Planning Ltd to submit the proposed land use applications on its behalf and the same is evidenced by a Limited Power of Attorney that has been included as part of Applicant's filing and has been made a part of the record.
3. **Zoning:** The property is presently zoned High Mix Residential (HMR) on the City of Central Point Zoning Map.
4. **Existing and Surrounding Land Uses:** Land uses in the surrounding area are shown on the Exhibit 5 map. Other nonconforming uses and structures abut or lie directly across Manzanita Street from the subject property and are within the same HMR zoning district.

V

CONCLUSIONS OF LAW

The following conclusions of law and ultimate conclusions are based on the findings of fact contained in Section IV above and the evidence enumerated in Section II. The below conclusions of law of the Central Point Planning Commission are preceded by the approval criteria to which they relate:

CLASS A NONCONFORMING USE DETERMINATION

17.56.030 Classification criteria. All nonconforming uses and structures within the city of Central Point shall be classified as either Class A or Class B nonconforming uses, according to the following criteria:

A. Properties containing nonconforming uses or structures may be designated Class A by the planning commission based upon findings that all of the following criteria apply:

Criterion 1

1. Continuance of the existing use or structure would not be contrary to the public health, safety or welfare, or to the spirit of this title;

Discussion; Conclusions of Law: The Planning Commission concludes that the subject single story building has, until recently, been used as a professional medical office occupied by Providence Medical Center for outpatient and medical/business services. Neither Applicant nor the Planning Commission are aware of any aspects of the building's former use that has produced any impact upon the public health, safety and general welfare, and no party testified nor introduced evidence to the contrary. In fact, medical offices typically produce greater levels of traffic and off-street parking than do typical business offices. As such, the Planning Commission concludes that the building's continued use as offices will not produce any additional levels of traffic nor other impacts which are different or greater than those which have historically existed within or by reason of use of this building for office purposes. For these reasons, the Commission concludes that this application is consistent with Criterion 1.

Criterion 2

2. The continued maintenance and use of the nonconforming property is not likely to depress the values of adjacent or nearby properties, nor adversely affect their development potential in conformance with present zoning;

Discussion; Conclusions of Law: As explained in the findings of fact in Section IV, the single story building now exists and, until recently, was used for medical outpatient care and medical/business offices by Providence Medical Center. The proposal now before the City of Central Point is to permit the continued use of the building for professional offices to be occupied by employees of Rogue Federal Credit Union. No exterior changes to the building are now proposed and off-street parking is sufficient to

Findings of Fact and Conclusions of Law

Nonconforming Use Determination and Conditional Use Permit
Rogue Federal Credit Union: Applicant

accommodate the intended use. In point of fact, the Commission concludes that medical offices typically produce greater requirements for parking and greater traffic impacts than is anticipated for general business offices now proposed. Given that the building already exists and the intended future use will produce fewer traffic impacts and need for less off-street parking, the Commission concludes that the continued maintenance and use of the this property is not likely to depress the values of adjacent or nearby properties, nor adversely affect their development potential in conformance with present zoning, consistent with Criterion 2.

Criterion 3

3. The use or structure was lawful at the time of its inception and no useful purpose would be served by strict application of the provisions or requirements of this chapter with which the use or structure does not conform;

Discussion; Conclusions of Law: This building was constructed long before the adoption of Central Point's Transit Oriented Development (TOD) regulations. Building permits for the building were properly obtained from the City of Central Point at the time the building was constructed (in 1974) and there is no evidence to the contrary. Application of the city's TOD regulations, which restricts professional offices to only a second story, will have the effect of enjoining office uses from now lawfully occupying this existing single story office building. In this regard, neither Applicant nor the Commission is aware of any useful purpose to be served by strict application of the city's regulations which, again, will prevent office use of this existing building which was designed for and occupied by office uses. Based upon the foregoing findings of fact and conclusions of law, the Commission concludes that the application is consistent with the requirements of Criterion 3 because the subject structure was lawful at the time of its inception and no useful purpose would be served by strict application of the provisions or requirements of this chapter with which the use or structure does not conform;

Criterion 4

4. The property is not predominantly surrounded; by conforming **uses** or structures and, considering current growth and development trends, is not reasonably expected to come under development pressures during the next five years;

Discussion; Conclusions of Law: As shown on Exhibit 5, the subject property is surrounded, among other uses, by three single family dwellings located north and across Manzanita from the property (two are immediately across Manzanita), and by Central Point Physical Therapy located to the west. Neither single family detached residential dwellings nor the physical therapy use, are permitted within the HMR zone — the zone in which the subject property is located. As such, the Planning Commission concludes that the property is *not* predominantly surrounded by conforming uses or structures.



Findings of Fact and Conclusions of Law

Nonconforming Use Determination and Conditional Use Permit
Rogue Federal Credit Union: Applicant

Criterion 4 has two parts. The second is whether, based upon a consideration of current growth and development trends, this property is not reasonably expected to come under development pressures during the next five years. The Commission is aware that current growth and development in Central Point (and elsewhere) have trended down during the past two to three years, due in part to a larger and widespread economic recession that often characterized as a national or even global recession. As to what is a reasonable expectation for a period five years hence, is of course unknown. However, the standard requires only there be no reasonable expectation that the property will not come under development pressures over the next five years. Based upon the state of the local, state, national and international economies, and the availability of vacant land that permits the same uses allowed in the HMR zone, the Commission concludes there to no reasonable expectation that this property will come under development pressures over the ensuing five year period.

Based upon the foregoing findings of fact and conclusions of law, the Planning Commission concludes that the application is consistent with the requirements of Criterion 4.

Criterion 5

5. The property is structurally sound, well-maintained, and occupied and used for the purpose for which it was designed;

Discussion; Conclusions of Law: The photographs in Exhibit 6 show the property to be structurally sound and well maintained. The building and other site improvements was constructed in 1974. The building, by its design, appearance, and occupancy was intended to supply offices for professional medical uses and it cannot be reasonably expanded vertically to be consistent with the requirements of the Central Point Zoning Ordinance. Even if a second story could be provided (to accommodate residential use pursuant to CPZO Table 1 in 17.65.050, the property would then lack sufficient off-street parking. As such, the building cannot reasonably be made conforming. Based upon the foregoing, the Planning Commission concludes that the application is consistent with the requirements of Criterion 5.

Criterion 6

6. Continuance of this nonconforming use will not in any way delay or obstruct the development or establishment of conforming uses on the subject property or on any adjacent or nearby properties in accordance with the provisions of the zoning ordinance.

Discussion; Conclusions of Law: As aforementioned, the subject building was constructed as an office in 1974 and has been occupied for that purpose. Permitting the building to continue its occupancy as an office (and with no needed improvements to the

exterior of the building nor the site) will not (and cannot be reasonably expected to) produce any delay or obstruct either the development nor establishment of conforming uses because, based upon the evidence, the building has remaining economic utility and was designed to be an office. As such, the building has substantial remaining value that would make its removal (and replacement) with a conforming structure and use impractical; others wishing to construct a conforming building and use will simply acquire vacant land and construct a building for a specific purpose (or otherwise occupy or refurbish an existing building) and will not incur the substantial additional cost to demolish an existing building that has remaining economic value. The Commission also concludes there is nothing inherent in this property or its continued occupancy as an office which will in any way delay or obstruct the development of conforming uses on adjacent or nearby properties and there is no evidence to the contrary. Therefore, the Commission concludes that this application is consistent with Criterion 6.

CONDITIONAL USE PERMIT

17.76.040 Findings and Conditions. The planning commission in granting a conditional use permit shall find as follows:

Criterion A

A. That the site for the proposed use is adequate in size and shape to accommodate the use and to meet all other development and lot requirements of the subject zoning district and all other provisions of this code;

Discussion; Conclusions of Law: Applicant asserts and the Planning Commission concludes, that the adequacy of this site for the proposed use — a professional office — is evidenced by the fact that the office now exists, along with adequate required off-street parking, landscaping and appurtenances. No exterior improvements to the building or site are contemplated that would affect compliance with any of the city's physical development standards. While Applicant will want a sign to identify its business, permits for the same can and will be obtained under separate permit from the City of Central Point. Therefore, the Planning Commission concludes that this application is consistent with Criterion A.

Criterion B

B. That the site has adequate access to a public street or highway and that the street or highway is adequate in size and condition to effectively accommodate the traffic that is expected to be generated by the proposed use;

Discussion; Conclusions of Law: As shown on Exhibits 3, 4, and 5, the subject property fronts upon and takes access from both Manzanita and Sixth streets, both of which are fully improved municipal streets in Central Point's downtown. Manzanita has a paved travel surface approximately 36 feet in width and Sixth Street has a paving width of approximately 28 feet. Both streets are further improved with concrete curbs, gutters and

sidewalks. There are no planned capacity improvements for either street and none are needed. As to the adequacy of the street to accommodate traffic from the proposed use, the use is one that has, since 1974, existed and produced traffic. The intended use, also an office, will produce no greater traffic loading than that which has occurred in the past, in will likely produce less traffic. Based upon the foregoing findings of fact and conclusions of law, the Planning Commission concludes that the application is consistent with the requirements of Criterion B.

Criterion C

C. That the proposed use will have no significant adverse effect on abutting property or the permitted use thereof. In making this determination, the commission shall consider the proposed location of improvements on the site; vehicular ingress, egress and internal circulation; setbacks; height of buildings and structures; walls and fences; landscaping; outdoor lighting; and signs;

Discussion; Conclusions of Law: The building intended to house the proposed use was designed, constructed, and has, since 1974, been used as a professional office. In this instance, Applicant intends to use the building for its own professional offices. Because the historic and proposed use are the same, Applicant asserts and the Commission agrees, that to the extent there are any adverse effects from this building being used for professional offices, the adverse effects have existed since 1974; there is nothing to suggest that the proposed office use will have any greater or different effects than earlier office uses which have occupied the building. Moreover, no additional improvements are planned that would affect vehicular ingress, egress and internal circulation, setbacks, height of buildings and structures, walls and fences, landscaping or outdoor lighting. The only exterior feature contemplated to change (other than on-going routine maintenance and upkeep) will be the installation of a typical business sign(s) that identify the buildings use; any new signs will be required to comply with Central Point's sign ordinance. In all other respects, the occupancy and use of the building will not change nor will the intended professional office use produce any significant adverse effect on abutting property or the permitted uses thereof, consistent in all respects with Criterion C.

Criterion D

D. That the establishment, maintenance or operation of the use applied for will comply with local, state and federal health and safety regulations and therefore will not be detrimental to the health, safety or general welfare of persons residing or working in the surrounding neighborhoods and will not be detrimental or injurious to the property and improvements in the neighborhood or to the general welfare of the community based on the review of those factors listed in subsection C of this section;

Discussion; Conclusions of Law: The Planning Commission concludes that relevant local, state and federal health and safety regulations have been appropriately incorporated into the Central Point Municipal Code. That these have been properly incorporated into municipal ordinances have in large part been ensured by mandates of state government and its oversight on local land use planning pursuant to Oregon's Statewide Planning

Goals. Moreover, there is nothing to prevent Applicant from complying with all relevant health and safety related governmental regulations and Applicant is required to comply. For these reasons, the Planning Commission concludes that the application is consistent with the requirements of Criterion D.

Criterion E

E. That any conditions required for approval of the permit are deemed necessary to protect the public health, safety and general welfare and may include:

1. Adjustments to lot size or yard areas as needed to best accommodate the proposed use; provided the lots or yard areas conform to the stated minimum dimensions for the subject zoning district, unless a variance is also granted as provided for in Chapter 17.13,
2. Increasing street widths, modifications in street designs or addition of street signs or traffic signals to accommodate the traffic generated by the proposed use,
3. Adjustments to off-street parking requirements in accordance with any unique characteristics of the proposed use,
4. Regulation of points of vehicular ingress and egress,
5. Requiring landscaping, irrigation systems, lighting and a property maintenance program,
6. Regulation of signs and their locations,
7. Requiring fences, berms, walls, landscaping or other devices of organic or artificial composition to eliminate or reduce the effects of noise, vibrations, odors, visual incompatibility or other undesirable effects on surrounding properties,
8. Regulation of time of operations for certain types of uses if their operations may adversely affect privacy of sleep of persons residing nearby or otherwise conflict with other community or neighborhood functions,
9. Establish a time period within which the subject land use must be developed,
10. Requirement of a bond or other adequate assurance within a specified period of time,
11. Such other conditions that are found to be necessary to protect the public health, safety and general welfare,
12. In considering an appeal of an application for a conditional use permit for a home occupation, the planning commission shall review the criteria listed in Section 17.60.190. (Ord. 1823 §5, 2001; Ord. 1684 §72, 1993; Ord. 1615 §55, 1989; Ord. 1533 §1, 1984; Ord. 1436 §2(part), 1981).

Discussion; Conclusions of Law: The Planning Commission finds and concludes that the language in Criterion E does not operate as a decisional standard, but rather functions to provide municipal decision makers with guidelines to determine appropriate conditions that it may attach to approvals under this section of the CPZO. As such, no responsive findings of fact or conclusions of law are necessary and the Planning Commission concludes that the application is consistent by reason of inapplicability with respect to Applicant's burden of proof.

Findings of Fact and Conclusions of Law

Nonconforming Use Determination and Conditional Use Permit
Rogue Federal Credit Union: Applicant

VII

ULTIMATE CONCLUSIONS

Based upon the preceding findings of fact and conclusions of law, the Planning Commission for the City of Central Point ultimately concludes that these contemporaneously filed land use applications conform with all of the relevant substantive approval criteria. Therefore, the Planning Commission orders that the same be and hereby are approved and that the subject property be added to the official list of Class A Nonconforming Uses pursuant to CPZO 17.56.030(A), and that a conditional use permit is hereby approved to permit this single story building to continue to be used for professional offices.

Respectfully submitted on behalf of Applicant Rogue Federal Credit Union:

CSA PLANNING, LTD.



Craig A. Stone

Dated: October 8, 2010

**SUPPLEMENTAL FINDINGS OF FACT
AND
CONCLUSIONS OF LAW
File No: 11009**

INTRODUCTION

These findings supplement the Applicant's findings to the Conditional Use Permit as presented in Attachment "A" relative to the proposed operation of professional offices. The proposed professional offices are located in the Transit Oriented Development District (TOD) High Mix Residential/Commercial zoning district and identified on the Jackson County Assessor's map as 37S 2W 02CC, Tax Lot 2200. The proposed space is located at 524 Manzanita Street, Central Point, OR 97502 (Applicant: Rogue Federal Credit Union. Agent: CSA Planning Ltd/Craig Stone)

17.76.020 Information required.

An application for a conditional use permit shall include the following information:

- A. Name and address of the applicant;*
- B. Statement that the applicant is the owner of the property or is the authorized agent of the owner;*
- C. Address and legal description or the assessor's parcel number of the property;*
- D. An accurate scale drawing of the site and improvements proposed. The drawing must be adequate to enable the planning commission to determine the compliance of the proposal with the requirements of this title;*
- E. A statement indicating the precise manner of compliance with each of the applicable provisions of this title together with any other data pertinent to the findings prerequisite to the granting of a use permit.*

Finding: The applicant has submitted all of the necessary information to proceed with the review of this application.

Conclusion: The applicant has met this criterion.

17.76.040 Findings and conditions.

The planning commission, in granting a conditional use permit, shall find as follows:

- A. That the site for the proposed use is adequate in size and shape to accommodate the use and to meet all other development and lot requirements of the subject zoning district and all other provisions of this code;*

Finding: Per the applicant's narrative, the existing space is adequate in size and shape to accommodate the proposed use. Previously, the building served as a professional office /medical building and will be remodeled to meet the requirements for the Applicant's proposed use. Both uses are considered "professional offices" according to CPMC definitions.

Conclusion: The proposed site and use meet this criterion.

B. That the site has adequate access to a public street or highway and that the street or highway is adequate in size and condition to effectively accommodate the traffic that is expected to be generated by the proposed use;

Finding: The project site is located on the corner of Manzanita Street and N. Sixth Street. Both streets are improved City streets with curbs, gutters, and sidewalks. Ingress and egress are provided on both Manzanita and N. Sixth Street. The intended use of the structure will be professional/administrative offices which will likely produce less traffic than did the previous use so it is unlikely exacerbate traffic conditions.

Conclusion: The proposed use meets this criterion.

C. That the proposed use will have no significant adverse effect on abutting property or the permitted use thereof. In making this determination, the commission shall consider the proposed location of improvements on the site; vehicular ingress, egress and internal circulation; setbacks; height of buildings and structures; walls and fences; landscaping; outdoor lighting; and signs;

Finding: The structure was designed and built in 1974 with the intention of providing professional offices and was used for that purpose until 2009. The Applicant's proposed use of the building will be similar to the previous use – professional offices. The existing structure will not be expanded beyond its current capacity. Setbacks, building height, walls and fencing, landscaping, and outdoor lighting will not be changed from their current configuration. A new sign will be added to the site but will meet HMR – TOD standards. Since this is the case there will be no significant impact on abutting properties or permitted uses.

Conclusion: The proposed use will not adversely affect abutting properties or the use thereof.

D. That the establishment, maintenance or operation of the use applied for will comply with local, state and federal health and safety regulations and therefore will not be detrimental to the health, safety or general welfare of persons residing or working in the surrounding neighborhoods and will not be detrimental or injurious to the property and improvements in the neighborhood or to the general welfare of the community based on the review of those factors listed in subsection C of this section;

Finding: The applicant agrees to comply with all of the above requirements as stated in the applicant's narrative.

Conclusion: The applicant has or intends to meet this criterion.

E. That any conditions required for approval of the permit are deemed necessary to protect the public health, safety and general welfare and may include:

- 1. Adjustments to lot size or yard areas as needed to best accommodate the proposed use; provided the lots or yard areas conform to the stated minimum dimensions for the*

subject zoning district, unless a variance is also granted as provided for in Chapter 17.13,

- 2. Increasing street widths, modifications in street designs or addition of street signs or traffic signals to accommodate the traffic generated by the proposed use,*
- 3. Adjustments to off-street parking requirements in accordance with any unique characteristics of the proposed use,*
- 4. Regulation of points of vehicular ingress and egress,*
- 5. Requiring landscaping, irrigation systems, lighting and a property maintenance program,*
- 6. Regulation of signs and their locations,*
- 7. Requiring fences, berms, walls, landscaping or other devices of organic or artificial composition to eliminate or reduce the effects of noise, vibrations, odors, visual incompatibility or other undesirable effects on surrounding properties,*
- 8. Regulation of time of operations for certain types of uses if their operations may adversely affect privacy or sleep of persons residing nearby or otherwise conflict with other community or neighborhood functions,*
- 9. Establish a time period within which the subject land use must be developed,*
- 10. Requirement of a bond or other adequate assurance within a specified period of time,*
- 11. Such other conditions that are found to be necessary to protect the public health, safety and general welfare.*

Finding: As stated above, the existing structure is adequate in size and shape to accommodate the Applicant's proposed use. Previously, the building served as a professional office /medical building and only the interior will be remodeled to meet the requirements for the proposed use. Surrounding streets are established and functional. Off-street parking and ingress and egress points are established and are adequate to serve the proposed use. Landscaping, irrigation, lighting is established and well maintained, and fences and/or berms, etc. would not be required due to the proposed use as professional offices. Hours of operation are expected to be between 7 a.m. and 6 p.m. so should not impact the surrounding neighborhood.

Conclusion: The proposed use complies with the above requirements.



ROGUE VALLEY SEWER SERVICES

Location: 138 West Vilas Road, Central Point, OR - Mailing Address: P.O. Box 3130, Central Point, OR 97502-0005
Tel. (541) 664-6300, Fax (541) 664-7171 www.RVSS.us

October 18, 2010

Dave Jacob
City of Central Point Planning Department
155 South Second Street
Central Point, Oregon 97502

Re: Conditional Use Permit for 524 Manzanita Street, File # 11008 and 11009

The subject property is currently served by two connections to an 8 inch sewer main on Manzanita Street. These services are adequate to serve the proposed uses.

If the proposed uses involve any changes to the plumbing of the existing building there may be development fees owed to Rogue Valley Sewer Services. The applicant should contact Rogue Valley Sewer Services so that these fees can be calculated and paid.

Feel free to call me if you have any questions.

Sincerely,

Carl Tappert

Digitally signed by Carl Tappert
DN: cn=Carl Tappert
Date: 2010.10.18 09:42:01 -07'00'

Carl Tappert, PE
District Engineer

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CUP\2009\11008_524 MANZANITA.DOC

PLANNING COMMISSION RESOLUTION NO. _____

**A RESOLUTION GRANTING APPROVAL OF A CONDITIONAL USE PERMIT
FOR THE OPERATION OF ROGUE FEDERAL CREDIT UNION
PROFESSIONAL OFFICES**

**Applicant: Rogue Federal Credit Union. Agent: CSA Planning Ltd/Craig Stone
(37S 2W 02CC, Tax Lot 2200
524 Manzanita Street)
File No. 11009**

WHEREAS, the applicant submitted an application for a Conditional Use Permit for the operation of Rogue Federal Credit Union Professional Offices located are in the Transit Oriented Development District (TOD) High Mix Residential/Commercial zoning district and identified on the Jackson County Assessor's map as 37S 2W 02CC, Tax Lot 2200, APN 10133517.

WHEREAS, on November 2, 2010, the Central Point Planning Commission conducted a duly-noticed public hearing on the application, at which time it reviewed the City staff report and heard testimony and comments on the application; and

WHEREAS, the Planning Commission's consideration of the application is based on the standards and criteria applicable to the Conditional Use Permit section 17.76 of the Central Point Municipal code; and

WHEREAS, the Planning Commission, as part of the Conditional Use Permit application, has considered and finds per the Staff Report dated November 2, 2010, that adequate findings have been made demonstrating that issuance of the conditional use permit is consistent with the intent of the High Mix Residential/Commercial zoning district, now, therefore;

BE IT RESOLVED, that the City of Central Point Planning Commission, by this Resolution No. _____ does hereby approve the application based on the findings and conclusions of approval as set forth on Exhibit "A", the Staff Report dated November 2, 2010, which includes attachments, attached hereto by reference and incorporated herein.

PASSED by the Planning Commission and signed by me in authentication of its passage this 2th day of November, 2010.

Planning Commission Chair

ATTEST:

City Representative

Approved by me this 2th day of November, 2010.

Planning Commission Chair

**CODE AMENDMENTS TO CPMC 17.44,
17.72, 17.64 AND ADDITION OF 17.75**



STAFF REPORT

November 2, 2010

AGENDA ITEM: File No. 10010

Consideration of amendments to the City of Central Point Municipal Code Section 17.44, Tourist and Professional Office District, Section 17.72, Site Plan and Landscaping Plan Approval, and Section 17.64 Off-Street Parking, and the addition of Section 17.75, Design Standards; **Applicant:** City of Central Point.

STAFF SOURCE:

Don Burt, Planning Manager

BACKGROUND:

At the request of the City Council the Planning Commission has been considering various changes to the Central Point Municipal Code to accommodate large retail establishments within the C-4 district as a permitted use. Based on discussions with the Planning Commission and various property owners a final draft of the proposed amendments has been completed for consideration at the Planning Commission meeting of November 2, 2010. The proposed amendments cover four sections of the zoning code. The following is an overview of each section:

1. **Section 17.44 Tourist and Office Professional District.** Addresses changes in use correcting redundancies and eliminating the “large retail establishment” size restriction.
2. **Section 17.72 Site Plan and Landscaping Plan Approval.** Restructures the site plan and architectural review process, including the provision for clear and objective standards.
3. **Section 17.64 Off-Street Parking.** Adds maximum vehicular parking standards, handicapped parking standards, and bicycle standards. References Section 17.75 for parking construction standards.
4. **Section 17.75 Design Standards.** This is a new section that is structured to eventually contain development standards for all zoning districts. As currently written this section includes block and access provisions that apply to all zoning districts, and site plan and architectural provisions that apply to commercial districts only at this time. Reservations are included for development standards of other zoning districts.

The proposed amendments have been submitted to the Department of Land Conservation and Development (DLCD). Favorable written comments (Attachment “E”) have been received on Sections 17.72, 17.64, and 17.75. The City has not received any written comments on Section 17.44.

ISSUES:

Most of the issues have been openly discussed throughout the process and appropriate changes made. However, there may be some latent issues that may be a point of discussion at the public hearing, such as:

Section 17.44, Tourist and Office Professional District. There remains some concern by members of the Citizens Advisory Committee, and possibly others, that removal of the size restriction on large retail establishments is not necessary. The concerns are: the size of large retail establishments, the potential blighting impact of vacant large retail building, and the economic impact of large retail establishments on local small business.

Section 17.75, Design Standards. The primary purpose of this section is to appropriately manage the design of large retail buildings in a manner that makes them more pedestrian friendly and supports the City's small town objective. Of the proposed design standards two will be challenged:

- The minimum block standards (Section 17.75.031(2)). A standard maximum block perimeter of 2,400 feet has been set for development in all zoning districts. The purpose is to assure connectivity and walkability. As a result of discussion comments this standard as been adjusted from 1,600 feet to the current proposed 2,400.
- The building facade transparency requirement (Section 17.75.042(A)(4)). To lessen the impact of the transparency standard alternative façade options have been included.

EXHIBITS/ATTACHMENTS:

Attachment "A" – Tourist and Office Professional (C-4)
Attachment "B" – Site Plan and Architectural Review
Attachment "C" – Off-Street Parking and Loading
Attachment "D" – Design and Development Standards
Attachment "E" – DLCD Comments
Attachment "F" – Findings
Attachment "G" – Proposed Resolution

ACTION:

Open public hearing and take testimony on the proposed amendments.

RECOMMENDATION:

Approve proposed amendments per Resolution No. _____ forwarding a favorable recommendation to the City Council.

C-4

CHAPTER 17.44 C-4 TOURIST AND OFFICE- PROFESSIONAL DISTRICT

17.44.000 Sections

Section 17.44.010 Purpose
Section 17.44.020 Permitted Uses
Section 17.44.030 Conditional Uses
Section 17.44.040 ~~Height Regulations~~ [Site Plan and Architectural Development Standards](#)
Section 17.44.050 ~~Area, Width, and Yard Requirements~~
[General Use Requirements](#)
Section 17.44.060 ~~General Requirements~~ [Signage Standards](#)
~~Section 17.44.04070 Height Regulations~~ [Off-Street Parking](#)
~~Section 17.44.070 Signs and Lighting of Premises~~
~~Section 17.44.080 Off Street Parking~~

17.44.010 Purpose

The C-4 District is intended to provide for the development of concentrated tourist commercial and entertainment facilities to serve both local residents and traveling public, and also for the development of compatible ~~major~~ professional office facilities. C-4 development should occur at locations that will maximize ease of access and visibility from the Interstate 5 freeway and major arterial streets and to be convenient to the users of Expo Park, the airport, and downtown.

17.44.020 Permitted Uses

The following uses are permitted in the C-4 district:

- (3) ~~General Professional~~ [professional](#) and financial [offices](#), including, but not limited to:
 - a. Banks and similar financial institutions,
 - b. Accounting and bookkeeping offices,
 - c. Real Estate Offices
 - d. Insurance Company Offices,
 - e. Legal Services,
 - f. Architectural and Engineering Services,
 - g. Professional Photo or Art Studios,
 - h. Counseling Services,
 - i. [Corporate or Government Offices](#),
 - j. [Medical and Dental Offices](#);
- (4) Tourist and Entertainment-Related Facilities, including:
 - a. Convenience Market, Meat, Poultry, Fish and Seafood Sales; Fruit and beverage Stands,
 - b. Drugstores,

- c. Automobile Service Station, Automobile and Recreational Vehicle Parts Sales and Repairs; and Truck Rentals,
- d. Motel and Hotel,
- e. Walk-In Movie Theater,
- f. Bowling Alley,
- g. Photo and Art Galleries,
- h. Photo Processing Pickup Station,
- i. Travel Agencies,
- j. Barber and Beauty Shops,
- k. Sit-Down Restaurants or Dinner Houses (including alcohol),
- l. Cocktail Lounges and Clubs serving alcoholic beverages,
- m. Tavern with Beer Only,
- n. Commercial Parking Lot,
- o. Community Shopping Centers which may include any of the permitted uses in this section and may also include the following uses:
 - i. Supermarkets,
 - ii. Department Stores,
 - iii. Sporting Goods,
 - iv. Books and Stationary,
 - v. Gifts, Notions and Variety,
 - vi. Florists,
 - vii. Leather Goods and Luggage,
 - viii. Pet Sales and related supplies,
 - ix. Photographic Supplies,
 - x. Health Food,
 - xi. Self-Service Laundry,
 - xii. Antique Shop,
 - xiii. Delicatessen,
 - xiv. Pastry and Confectionery,
 - xv. General Apparel,
 - xvi. Shoes and Boots,
 - xvii. Specialty Apparel,
 - xviii. Jewelry,
 - xix. Clocks and watches, Sales and Service,
 - xx. Bakery, retail only,
 - xxi. Bicycle Shop,
 - xxii. Audio, Video, Electronic Sales and service,
 - xxiii. Printing, Lithography and Publishing,
- p. Mobile Food Vendors,
- q. State-Regulated Package Liquor Stores,
- r. Other uses not specified in this or any other district, if the planning commission finds them to be similar to the uses listed above and compatible with other permitted uses and with the intent of the C-4 district as provided in Section 17.60.140, [Authorization for Similar Uses](#).
- s. Large Retail Establishments ~~eighty thousand (80,000) square feet or less as defined in Section 17.08.010, Retail Establishment, Large.~~

17.44.30 Conditional Uses

A. The following uses are permitted in the C-4 district when authorized in accordance with Chapter 17.76, Conditional Use Permits:

- a) Campgrounds and recreational vehicle overnight facilities,
- b) Drive-In Movie Theater,
- c) Golf Course/Driving Range,
- d) Ice and Roller Skating Rinks,
- e) Dance Halls,
- f) Billiard/Pool Halls,
- g) Miniature Golf Courses,
- h) Amusement Center (Pinball, Games, etc.),
- i) Nonindustrial Business/Vocational Schools,
- j) Physical Fitness/Conditioning Center; Martial Arts Schools,
- k) Carwash,
- l) Taxicab Dispatch Office,
- m) Ambulance/Emergency Services,
- n) Day Care Center,
- o) Drive-In Fast Food Outlets,
- p) Other Specialty Food Outlets, Mobile Food Vendors,
- q) Television and Radio Broadcasting Studio,
- ~~r) Retail Auto Parts Sales,~~
- ~~s)r)~~ Accessory buildings and uses customarily appurtenant to a permitted use, such as incidental storage facilities, may be permitted as conditional uses when not included within the primary building or structure,
- s) Permitted uses that are referred to the planning commission by city staff because they were found to exhibit potentially adverse or hazardous characteristics not normally found in uses of a similar type and size.

B. Uses other than those listed above may be permitted in a C-4 district when included as a component of a commercial, tourist, or office-professional planned unit development that consists predominantly of uses permitted in the zone and is planned and developed in accordance with Chapter 17.68, Planned Unit Development (PUD). These uses shall include the following:

- i) Department Stores,
- ii) Sporting Goods,
- iii) Books and Stationary,
- iv) Gifts, Notions and Variety,
- v) Florists,
- vi) Leather Goods and Luggage,
- vii) Pet Sales and related supplies,
- viii) Photographic Supplies,
- ix) Health Food,
- x) Self-Service Laundry,
- xi) Antique Shop,
- xii) Delicatessen,
- xiii) Pastry and Confectionery,
- xiv) General Apparel,
- xv) Shoes and Boots,
- xvi) Specialty Apparel,
- xvii) Jewelry,
- xviii) Clocks and watches, Sales and Service,

- xix) Bakery, retail only,
- xx) Bicycle Shop,
- xxi) Audio, Video, Electronic Sales and service, and
- xxii) Printing, Lithography and Publishing.

Section 17.44.030-040 Site Plan and Architectural Development Standards. Development within the C-4 district shall be subject to the site and architectural standards set forth in Chapter 17.75, Design and Development Standards. The following standards address the basic site design requirements for all development within the C-4.

Table 17.44.030 Development Standards, C-4 District

Standard	
Minimum Lot Area	5,000 sq. ft.
Minimum Lot Width	50 ft.
Minimum Lot Depth	100 ft.
Building/Structure Height (feet) <small>*Except when authorized for telecommunication antenna support structures, or other antenna structures or signs (see Section 17.60.040 Antenna Standards).</small>	60 ft.
Lot Coverage (% of site area)	None, provided setback, parking, and loading requirements are met
Minimum Landscaped Area (% of site area)	10%
Minimum Building/Structure Setbacks Front Yard —Side Yard ¹ —Rear Yard ² When abutting residentially zoned/planned lands	10 ft. 5 ft. 10 ft. 20 ft.
Build-To Lines (feet)	See Section 17.44.0
Fences/Walls Front Yard Interior Side Yard Rear Yard Street Side <small>*Height may be exceeded with approval of a Conditional Use Permit per Section 17.76</small>	4 ft. 6 ft. 6 ft. 4 ft.

¹Side yard shall be increased by 1/2 ft. for each foot by which the building height exceeds 20 ft.

~~²When the rear property line abuts any residential (R) district or any unincorporated lands, the rear yard shall be increased by ½ ft. for each foot by which the structure or building height exceeds 20 ft.~~

Section 17.44.060-050 General Use Requirements

- A. Uses that are normally permitted in the C-4 district but that are referred to the planning commission for further review, per Section 17.44.030(A)(19r), Conditional Uses, will be processed according to application procedures for conditional use permits. No use shall be permitted and no process, equipment or materials shall be used which are found by the planning commission to be harmful to persons living or working in the vicinity by reason of odor, fumes, dust, smoke, cinders, dirt, refuse, water-carried waste, noise, vibration, illumination or glare, or are found to involve any hazard of fire or explosion.
- B. All businesses, services and processes shall be conducted entirely within a completely enclosed structure, with the exception of off-street parking and loading areas, outdoor eating areas, service stations, outdoor recreational facilities, recreational vehicle overnight facilities, and other compatible activities, as approved by the planning commission.
- C. Open storage of materials related to a permitted use shall be conditionally permitted only within an area surrounded or screened by a solid wall or fence having a height of six feet; provided, that no materials or equipment shall be stored to a height greater than that of the wall.
- ~~D. Front yard areas shall be planted with lawn, trees, shrubs, flowers or other suitable landscaping materials and shall be continuously maintained in good condition and in an attractive manner. In cases where the buildings are set back to provide off street parking in the front yard area, a landscape strip having a minimum width of ten feet shall be established and maintained along the front lot line.~~

Section 17.44.070-060 Signage Standards

- ~~A. No illuminated sign or lighting standards used for the illumination of premises shall be so designed and installed that their direct rays are toward or parallel to a public street or highway or directed toward any property that lies within a residential (R) district.~~
- ~~B. No red, green or amber lights or illuminated signs may be placed in such a location or position that they could be confused with, or may interfere with, any official traffic control device, traffic signal or directional guide signs.~~

Signs in the C-4 district shall be permitted and designed according to provisions of Chapter 17.75.050, Signage Standards and Chapter 15.24, Sign Code and with ~~Section 17.60.110.~~

Section 17.44.070 Off-Street Parking

Off-street parking and loading spaces shall be provided as required in Chapter 17.64, Off-Street Parking and Loading, and developed to the standards set forth in Chapter 17.75.039 Parking Design and Development Standards.

SPAR

CHAPTER 17.72

SITE PLAN, ~~LANDSCAPING~~ AND ~~CONSTRUCTION PLAN~~ APPROVAL ARCHITECTURAL REVIEW

Sections:

17.72.010	Purpose
17.72.020	Site Plan Approval Required <u>Applicability</u>
17.72.021	Application and Review
17.72.030	Information Required
17.72.040	Standards
17.72.050	Conditions on Site Plan <u>and Architectural Approval</u> Review
17.72.060	Building Permit Issuance – Plan Change
17.72.070	Expiration
17.72.080	Site Plan <u>and Architectural Review Plan</u> Compliance – Certificates of Occupancy

17.72.10 Purpose.

The purpose of ~~site Site plan~~ Plan and Architectural Review, ~~landscaping and construction plan approval~~ is to review the site, ~~landscape~~, and ~~landscaping architectural~~ plans of the proposed use, structure or building to determine compliance with this title ~~and the building code~~, and to promote the orderly and harmonious development of the city, the stability of land values and investments, and the general welfare, and to promote aesthetic considerations, and to help prevent impairment or depreciation of land values and development by the erection of structures or additions or alterations thereto without proper attention to site planning, landscaping and the aesthetic acceptability in relation to the development of neighboring properties. (Ord. 1436 §2(part), 1981).

17.72.020 ~~Site plan approval required~~ Applicability.

~~A. No permit required under Chapter 15, Buildings and Construction, shall be issued for a major or minor project, as defined in this section, unless an application for Site Plan and Architectural Review is submitted and approved, or approved with conditions, as set forth in this chapter. A site plan application conforming to the requirements of Section 17.72.030 shall be made:~~

(1) Exempt Projects. Except as provided in subsection 2(C) the following projects do not require Site plan and architectural Review:

- A. Single-family detached residential structures;
- B. Any multiple-family residential project containing three (3) or less units;
- C. Landscape plans, fences, when not part of a major project;

- D. Storage sheds, patio covers, garages and carports, decks, gazebos, and similar non-occupied structures used in conjunction with residential uses; and
- E. Signs that conform to a previously approved master sign program for the project site.

Exempt projects are required to comply with all applicable development standards of this chapter.

- (2) Major Projects. The following are "major projects" for the purposes of the Site Plan and Architectural Review process and are subject to Type 2 procedural requirements as set forth in Chapter 17.05, Applications and Types of Review Procedures:

- A. New construction, including private and public projects, that:
 - a. Includes a new building or building addition of five thousand (5,000) square feet or more;
 - b. Includes the construction of a parking lot of ten (10) or more parking spaces; or
 - c. Requires one or more variances or conditional use permits and, in the judgment of the director, will have a significant effect upon the aesthetic character of the city or the surrounding area;
- B. Any attached residential project that contains four (4) or more units;
- C. Any minor project, as defined in subsection (3), that the director determines will significantly alter the character, appearance, or use of a building or site.

- (3) Minor Projects. Except when determined to be an exempt project, or a major project pursuant to subsections (1) and (2) respectively, the following are defined as "minor projects" for the purposes of Site Plan and Architectural Review, and are subject to the Type I procedural requirements of Chapter 17.05, Applications and Types of Review Procedures:

- (A) New construction, including private and public projects, that involves a new building or building addition of less than 5,000 square feet.
- (B) Signs that meet all applicable standards as set forth in Chapter 17.75.050, Signage Standards;
- (C) Exterior remodeling within the commercial or industrial zoning districts when not part of a major project;
- (D) Parking lots less than ten (10) parking spaces.
- (E) Any project relating to the installation of cabinets containing communications service equipment or facilities owned and operated by a public utility and not subject to Section 17.60.040, Antenna Standards.
- (F) Minor changes to the following:
 - i. Plans that have previously received Site Plan and Architectural Review approval;
 - ii. Previously approved planned unit developments;

(G) At the discretion of the director any changes to previously approved plans requiring Site Plan and Architectural Review.

As used in this subsection, the term "minor" means a change that is of little visual significance, does not materially alter the appearance of previously approved improvements, is not proposed for the use of the land in question, and does not alter the character of the structure involved. At the discretion of the director if it is determined that the cumulative effect of multiple minor changes would result in a major change, a new application for Site Plan and Architectural Review is required. All minor changes must comply with the development standards of this chapter.

1. For all construction requiring issuance of a building permit; or
2. Upon a change of use.

~~B. Except for the C-3 zoning district, the requirement for a site plan application upon a change of use may be waived by city staff if staff determines that no modifications are necessary to the existing access, parking, driveway, or any other facilities on the site.~~

~~C. In the C-3 zoning district, the requirement for a site plan application may be waived by city staff if:~~

- ~~1. The project involves either a change of use or only maintenance, rehabilitation or modernization of an existing building; and~~
- ~~2. City staff determines that no modifications are necessary to the existing access, driveway, or any other facilities on the site, excluding parking.~~

~~D. Site plan applications for properties located in R-1 or R-1 districts shall be reviewed and approved by staff unless referred to the planning commission when unusual features or circumstances of the site or building could result in an adverse impact on the neighborhood or adjacent properties. Staff may, in its discretion, waive the site plan application filing fee and any of the requirements of 17.72.030(D) for:~~

- ~~1. Single-family residential structures; and~~
- ~~2. Storage sheds, patio covers, garages and carports, decks, gazebos, and similar nonoccupied structures used in conjunction with residential uses.~~

~~E. When the siting of a structure has the potential to interfere with future streets extended from subdivided or partitioned lands, such site plans shall be subject to approval by the planning commission.~~

~~F. No building permit shall be issued until approval, as provided in this chapter, has been obtained for any building or structure requiring plan approval according to the provisions of this title.~~

~~G. Site plan applications for properties located in R-2 or R-3 districts shall be reviewed and approved by staff if such applications consist of entirely new construction of a single building on a single tax lot having direct access to a public street. Staff may refer such applications to the planning commission when unusual features or circumstances of the site, building or improvements could result in an adverse impact on the neighborhood or adjacent properties. (Ord. 1745 §1, 1996; Ord. 1730 §1, 1995; Ord. 1717, 1995; Ord. 1702 §3, 1994; Ord. 1684 §63, 1993; Ord. 1615 §§52, 54, 1989; Ord. 1436 §2(part), 1981).~~

17.72.021 Application and review.

~~Applications shall be accompanied by a fee defined in the city's adopted planning application fee schedule. Such applications and the review thereof shall conform to the provisions of Chapter 17.05 and all applicable laws of the state. (Ord. 1786 §9, 1998; Ord. 1684 §64, 1993; Ord. 1436 §2(part), 1981).~~

17.72.030 Information requiredRequired

Application for Site Plan and Architectural Review shall be made to the Community Development Department and shall be accompanied by the application fee prescribed in the City of Central Point Planning Department Fee Schedule. The application shall be completed, including all information and submittals listed on the official Site Plan and Architectural Review application form.

~~An application shall be filed which shall include the following information:~~

~~A. Name and address of the applicant;~~

~~B. Statement that the applicant is the owner of the property or is the authorized agent of the owner;~~

~~C. Address and legal description of the assessor's parcel number of the property;~~

~~D. The application shall include an accurate scale drawing of the site, containing, at a minimum, the following:~~

~~1. North arrow;~~

~~2. Scale used;~~

~~3. Address and legal description of the assessor's parcel number and tax lot of the property;~~

~~4. Lot dimensions;~~

~~5. Applicable city zoning designation;~~

~~6. Setbacks;~~

~~7. Proposed landscaping;~~

~~8. Location of all buildings, parking areas, streets, accesses, sidewalks, and other improvements, including the dimensions of each;~~

~~9. Ground and architectural elevations;~~

~~10. Distances between buildings, parking areas, streets, sidewalks and other improvements;~~

~~11. Surrounding land uses;~~

~~12. Easements;~~

~~13. Adjacent streets;~~

~~14. Off street parking calculations;~~

~~15. Existing trees;~~

~~16. Pedestrian routes and sidewalks;~~

~~17. Fencing;~~

~~18. Screening of outdoor trash bins, and~~

~~19. The location of all public improvements and all utilities, including their relation to other utilities in the area;~~

~~E. Construction plans and such other plans and information as are required to show the architecture of all buildings and other improvements;~~

~~F. In the discretion of the city, a traffic study performed by a licensed professional engineer; and~~

~~G. Such additional information as is necessary to carry out the purposes of this chapter. (Ord. 1685 §65, 1993; Ord. 1436 §2(part), 1981).~~

17.72.40 Site Plan and Architectural Standards.

In approving, conditionally approving, or denying ~~the plans submitted~~any Site Plan and Architectural Review application, the ~~city approving authority~~ shall base ~~their~~its decision on compliance with the following standards:

~~A. Applicable site plan, landscaping, and architectural design standards as set forth in Section 17.75, Design and Development Standards. General setback, lot size, building height, density, and other requirements as set forth in this chapter for the zoning district in which the development is proposed. Landscaping and fencing and the construction of walls on the site in such a manner as to cause the same to not substantially interfere with the landscaping scheme of the neighborhood, and in such a manner as to use the same to screen such activities and sights as might be heterogeneous to existing neighborhood uses. The planning commission may require the maintaining of existing trees for screening purposes and for sound and sight insulation from existing neighborhood use;~~

~~B. City of Central Point Department of Public Works Department Standard Specifications and Uniform Standard Details for Public Works Construction; Design, number and location of ingress and egress points so as to improve and to avoid interference with the traffic flow on public streets;~~

~~C. To provide off-street parking and loading facilities and pedestrian and vehicle flow facilities in such a manner as is compatible with the use for which the site is proposed to be used and capable of use, and in such a manner as to improve and avoid interference with the traffic flow on public streets;~~

~~D. Signage standards and other signage requirements as set forth in this chapter for the zoning district in which the development is proposed. Signs and other outdoor advertising structures to ensure that they do not conflict with or deter from traffic control signs or devices and that they are compatible with the design of their buildings or uses and will not interfere with or detract from the appearance or visibility of nearby signs;~~

~~EC. Accessibility and sufficiency of fire fighting facilities to such a standard as to provide for the reasonable safety of life, limb and property, including, but not limited to, suitable gates, access roads and fire lanes so that all buildings on the premises are accessible to fire apparatus;~~

~~F. Compliance with all city ordinances and regulations, including Section 16.20.080 pertaining to the maximum number of single-family dwellings or dwelling units allowable on cul-de-sac streets, and applicable state laws;~~

~~G. Compliance with such architecture and design standards as to provide aesthetic acceptability in relation to the neighborhood and the Central Point area and its environs. The architecture and design proposals may be rejected by the planning commission if found to be incompatible with the existing architectural or design characteristics of adjacent properties or uses. In addition, the planning commission reserves the right to establish additional height, setback, buffering, or other development requirements that may be necessary to ensure land use compatibility and ensure the health, safety, and privacy of Central Point residents. (Ord. 1702 §4, 1994; Ord. 1684 §67, 1993; Ord. 1436 §2(part), 1981).~~

~~F. Site plan and architectural design standards as set forth in Section 17.75.~~

17.72.050 Conditions on ~~site plan approval~~Site Plan and Architectural Review Approval.

The ~~city approving authority~~ may attach to any Site Plan and Architectural Review approval given under this chapter specific conditions, ~~or restrictions,~~ deemed necessary ~~in the interests of to protect~~ the public health, safety or welfare including, but not limited to, the following:

(1) Construction and installation of any on-site or off-site improvements, including but not limited to sidewalks, curbs, gutters, streets, bikeways, street signs and street lights, traffic control signs and signals, water, storm drainage, sanitary sewer, and park and recreation improvements. In requiring off-site improvements, the city shall find that the improvements are reasonably related to the development and would serve a public purpose such as mitigating the negative impact of the proposed development.

All improvements required under this subsection shall be made at the expense of the applicant, and shall conform to the provisions of the ~~Standard Specifications and Uniform Standard Details for Public Works Construction in the City of Central Point, Oregon City of Central Point Department of Public Works Department Standard Specifications and Uniform Details for Public Works Construction~~. However, the city, in its discretion, may modify such standards and determine site-specific design, engineering and construction specifications when appropriate in the particular development;

(2) An agreement by the owner of the property to waive, on his or her behalf, and on behalf of all future owners of the land, any objection to the formation of a local improvement district which may be formed in the future to provide any of the improvements specified in subsection ~~A-(1)~~ of this section;

(3) An agreement by the owner of the property to enter into a written deferred improvement agreement, providing that one or more of the improvements specified in subsection A of this section shall be made by the owner at some future time to be determined by the city;

(4) Any agreement entered into pursuant to subsections ~~B-(2)~~ or ~~C-(3)~~ of this section shall be recorded in the county recorder's office and shall be intended to thereafter run with the land, so as to bind future owners of the lands affected to the conditions of the agreement. Any and all recording costs shall be ~~borne by the~~ the responsibility of the applicant; and

(5) Any other conditions deemed by the city to be reasonable and necessary in the interests of the public health, safety or welfare. (Ord. 1684 §68, 1993).

17.72.060 Building Permit Issuance--Plan Change.

(1) No building permit will be issued for the construction without the prior approval by the ~~planning commission~~ approving authority which will be noted on the first page of the plans. ~~One copy of the plans shall be retained by the city and one set so approved shall be given to the developer or owner.~~

(2) Any change or deviation from the plans approved by the ~~planning commission~~ approving authority without the ~~written approval of the building inspector for structures, the planning department~~ community development director for site plans, or the public works director for public improvements shall be considered a violation. (Ord. 1684 §69, 1993; Ord. 1436 §2(part), 1981).

17.72.070 Expiration.

(1) A site plan approval shall lapse and become void one year following the date on which it became effective unless, ~~by conditions of the site plan approval, a greater or lesser time is prescribed as a condition of approval, or unless~~ prior to the expiration of one year, a building permit is issued by the building inspector and construction is commenced and diligently pursued toward completion. The ~~planning commission~~ community development director may extend the site plan approval for an additional period of one year, subject to the requirements of Section ~~17.76.040~~ 17.05, Applications and Types of Review Procedures.

(2) If an established time limit for development expired and no extension has been granted, the ~~site plan~~ Site Plan and Architectural Review approval shall be void. (Ord. 1684 §70, 1993).

17.72.080 Site Plan and Architectural plan Review Compliance--Certificate of Occupancy.

The city may refuse issuance of a certificate of occupancy ~~for a change of use~~ until the applicant for a ~~Site Plan and Architectural Review application approval~~ has completed all requirements and conditions in accordance with the ~~site plans~~ approved by the ~~planning commission~~ approving authority. No person shall use or occupy a building or property unless such person has complied with the all applicable ~~requirements of this title~~ zoning ordinances, any conditions placed on the Site Plan and Architectural Review ~~person's land-use~~ application, and has obtained a certificate of occupancy. (Ord. 1684 §71, 1993).

CHAPTER 17.64 OFF-STREET PARKING AND LOADING

17.64.010 Purpose.

17.64.020 Off-Street Loading General Applicability

17.64.030 Off-Street parking, Required Off-Street Loading

17.64.040 Off-Street Parking, Number of Spaces Off-Street Parking Requirements

17.64.050 Mixed Uses Parking Facility Design Standards

Vehicle Parking Facilities

Accessible Parking Standards

Landscaping of Parking Facilities

Bicycle Parking Facilities

Miscellaneous Design Standards

17.64.060 Common Parking or Loading Areas

17.64.070 Compact Car Adjustment

17.64.080 Change to Another Use

17.64.090 Fractional Requirement

17.64.100 Parking Design Requirements

17.64.010 Purpose.

The following regulations are established to provide for the number of off-street parking of automobiles, trucks and other vehicles, loading and bicycle spaces for new uses and enlargement of existing uses in connection with the uses of land permitted by this zoning ordinance. Various land uses generate vehicular traffic according to their specific characteristics and require differing amounts of off-street parking, loading. These requirements will help to relieve on-street parking demand and traffic congestion by ensuring adequate off-street parking and loading facilities where they are needed the most. The requirements and standards set forth in this chapter are intended to ensure the usefulness of parking, loading and bicycle facilities, protect the public safety, and to mitigate potential adverse impacts on adjacent land uses.

17.64.020 Off-Street Loading Applicability

In all districts, in connection with any use whatsoever, there shall be provided at the time any building or structure is erected, enlarged or increased in capacity, or the use is changed or increased in intensity, off-street parking spaces for automobiles, off-street loading, and bicycle parking facilities for the enlarged or increased portion in the case of an addition or for the building, structure or use in other cases, in accordance with the requirements herein. All parking shall be developed and maintained to the standards set forth in Section 17.75.030(B), Parking Design and Development Standards.

Section 17.64.030 Off-Street Parking, Required Off-Street Loading.

A. In all districts, ~~except those specifically excepted and noted~~, for each use for which a building is to be erected or structurally altered to the extent of increasing the floor area to equal the minimum floor area required to provide loading space and which will require the receipt or distribution of materials or merchandise by truck or similar vehicle, there shall be provided off-street loading space ~~on the basis of minimum requirements, as follows: in accordance with the standards set forth in Table 17.64.01, Off-Street Loading Requirements.~~

~~1. Commercial, industrial, and public utility uses which have a gross floor area of five thousand square feet or more shall provide off-street truck loading or unloading berths in accordance with the following table:~~

~~2. Office buildings, hotels, motels, hospitals, schools, institutions, public buildings, recreational or entertainment facilities, and any similar use which has a gross floor area of thirty thousand square feet or more shall provide off-street truck loading or unloading berths in accordance with the following table:~~

TABLE 17.64.01 OFF-STREET LOADING REQUIREMENTS

Use Categories	Off-Street Requirement (fractions rounded up to the closest whole number)
COMMERCIAL, INDUSTRIAL, AND PUBLIC UTILITIES	
Sq. Ft. of Floor Area	No. of Loading Berths Required
Less than 5,000	0
5,000 to 30,000	1
30,001 to 100,000	2
100,001 and Over	3
OFFICE, HOTELS/MOTELS, HOSPITALS, SCHOOLS, PUBLIC BUILDINGS, RECREATIONAL/ENTERTAINMENT FACILITIES	
Sq. Ft. of Floor Area	No. of Loading Berths Required
Less than 30,000	0
30,001 to 100,000	1
100,001 and Over	2

B. A loading berth shall not be less than ten feet wide, thirty-five feet long and have a height clearance of twelve feet. Where the vehicles generally used for loading and unloading exceed these dimensions, the required length of these berths shall be increased.

C. If loading space has been provided in connection with an existing use or is added to an existing use, the loading space shall not be eliminated if elimination would result in less space than is required to

adequately meet the needs of the use.

D. Off-street parking areas used to fulfill the requirements of this title shall not be counted as required loading spaces and shall not be used for loading and unloading operations, except during periods of the day when not required to meet parking needs.

E. In no case shall any portion of a street or alley be counted as a part of the required parking or loading space, and such spaces shall be designed and located as to avoid undue interference with the public use of streets or alleys. (Ord. 1436 §2(part), 1981).

17.64.040 Off-Street Parking, Number of Spaces Off-Street Parking Requirements. ~~In all districts, except those specifically excepted and noted, in connection with any use whatsoever, there shall be provided, at the time any building or structure is erected or is enlarged or increased in capacity or the use is changed or increased in intensity, off-street parking spaces for automobiles for the enlarged or increased portion in the case of an addition or for the building, structure or use in other cases, in accordance with the requirements herein. All uses shall not exceed the maximum number of off-street parking spaces in accordance with Table 17.64.02, Off-Street Parking Requirements. The maximum number of off-street parking spaces may be reduced in accordance with Section 17.64.040(B), Reduction of Maximum Off-Street Vehicle Parking.~~

The requirement for any use not specifically listed shall be determined by the community development director on the basis of requirements for similar uses, and on the basis of evidence of actual demand created by similar uses in the city and elsewhere, and such other traffic engineering or planning data as may be available and appropriate to the establishment of a minimum requirement.

TABLE 17.64.02 OFF-STREET PARKING STANDARDS REQUIREMENTS

Use Categories	Maximum Vehicle Parking Requirement (fractions rounded down to the closest whole number)
RESIDENTIAL	
Single-Family Residential	2 spaces per Dwelling Unit, both of which must be covered.
Accessory Dwelling Unit	1 space per Accessory Dwelling Unit.
Two-Family	Two 2 Spaces per Dwelling Unit, both of which must be covered.
Multiple-Family	<u>1 space per studio or 1-bedroom unit;</u> <u>1.5 spaces per 2-bedroom unit; and</u> <u>2 spaces per 3-bedroom unit.</u> Not less than two spaces per dwelling unit, at least one of which shall be a garage or carport; plus one 1 guest parking space for each four 4 dwelling units or fraction thereof.
Mobile Home Parks	2 spaces per Dwelling Unit on the same lot or pad as the mobile home (may be tandem); plus 1 guest space for each four 4 mobile homes.
Boarding Houses, Bed and Breakfast	One space for each accommodation; plus one space per each two employees

	<u>1 space per guest unit; plus 1 space per each 2 employees</u>
COMMERCIAL LODGING	
Hotel or Motel	Not less than 1 space per guest unit; plus 1 spaces per each two <u>2</u> employees. Units having kitchen facilities shall provide 2 spaces <u>per</u> unit with kitchen.
Club, Lodge	Spaces to meet the combined requirements of the uses being conducted within.
INSTITUTIONS	
Welfare or Correctional Institutions	1 space per five <u>5</u> beds for patients or inmates.
Group Living such as Convalescent Hospitals, Nursing Home	1 space per each two <u>2</u> beds for patients or residents bedrooms
Hospital	Not less than 3 spaces per each two <u>2</u> beds, determined by the maximum design capacity of the facility.
PLACES OF PUBLIC ASSEMBLY	
Churches, Chapels, Mortuaries	1 space per 75 sq. ft. of main assembly area; or per Section 17.72, Site Plan and Architectural Review
Libraries, Museum, Art Gallery	1 space per 400 sq. ft. of net floor area; plus 1 space per each 2 employees
SCHOOLS	
Day Care Center, Preschool	Not less than 1 space per employee; plus one <u>1</u> space per five <u>5</u> children the facility is designed or intended to accommodate. No requirements for facilities caring for five <u>5</u> or fewer children simultaneously.
Elementary and Junior High Schools (public and private/parochial)	Not less than 3 spaces per classroom, or 1 space per four <u>4</u> seats in the main auditorium, gymnasium, or other place available for public assembly, whichever is greater.
High Schools, Colleges, and Trade Schools (public and private/parochial)	Not less than 1 space per each five <u>5</u> students, based on the design capacity of the facility, or 1 space per four <u>4</u> seats in the main auditorium, gymnasium, or other place available for public assembly, whichever is greater.
COMMERCIAL AMUSEMENT and ENTERTAINMENT	
Theaters, amphitheaters, stadiums	Not less than 1 space per each four <u>4</u> fixed seats or eight <u>8</u> feet of bench length.
Bowling Alley	5 spaces per lane; plus one <u>1</u> space per each two <u>2</u> employees. Other uses in the building shall be calculated separately per Section 17.64.050040(F), Mixed Uses.
Dancehall, Skating Rink	Not less than 1 space per each one hundred <u>100</u> square feet of net floor (or ice) area or fraction thereof; plus one <u>1</u> space per each two <u>2</u> employees.
Swimming Pool	Not less than 1 space per each one hundred <u>100</u> square feet of pool surface area.
GENERAL COMMERCIAL	
Retail Stores, Personal Services	Not less than 1 space per each two hundred <u>200</u> square feet of net floor area (excluding storage and other non-sales or non-display areas).

Furniture, Appliances	Not less than 1 space per each five hundred <u>500</u> square feet of gross floor area.
Automobile, Boat, Manufacture Home and Recreational Vehicle Sales, Service, and Rental	Not less than 1 space for each employee on the major shift; plus 2 spaces for each service bay; plus 1 space per each three hundred <u>300</u> square feet of showroom area; plus 1 space per each two thousand <u>2,000</u> square feet of used or new vehicle sales area, or other outdoor sales area.
Nurseries, Gardening and Building Materials	Not less than 1 space for each employee on the major shift; plus 2 spaces for each service bay; plus 1 space per each three hundred <u>300</u> square feet of showroom area; plus 1 space per each two thousand <u>2,000</u> square feet of used or new vehicle sales area, or other outdoor sales area.
Service and Repair Shops	Not less than 1 space per each three hundred <u>300</u> square feet of gross floor area.
Eating & Drinking Establishments	10 spaces per 1,000 sq. ft. of gross floor area
Restaurants, Fast Food	Not less than 1 space per one hundred (100) feet of gross floor area, plus three (3) stacking spaces for drive-through window.
OFFICE - PROFESSIONAL	
Banks and other Financial Institutions	Not less than 1 space per each three hundred <u>300</u> square feet of gross floor area or fraction thereof . In no case shall there be fewer than three <u>3</u> spaces provided.
<u>General and Professional Offices</u>	<u>1 space per 250 square feet of gross floor area.</u>
Medical and Dental Offices	Not less than 3 spaces per practitioner; plus 1 space per each two employees, or one <u>1</u> space per each two hundred <u>250</u> square feet of gross floor area, whichever is greater .
INDUSTRIAL and MANUFACTURING	
Assembly and manufacturing	Not more than 2 spaces per each three <u>3</u> employees on the two <u>2</u> largest shifts*, or one <u>1</u> space per each five hundred <u>500</u> square feet of gross floor area, whichever is greatest. (* One <u>1</u> space per employee if the business has only one shift).
Warehousing and storage	Not more than two <u>2</u> spaces per each three <u>3</u> employees on the two <u>2</u> largest adjacent shifts*, or one <u>1</u> space per each one thousand <u>1,000</u> square feet of gross floor area, whichever is greater. (* One <u>1</u> space per employee if the business has only one shift).
Industrial Vehicles	Not more than one <u>1</u> space for each vehicle kept or operated in connection with the use.

A) Calculation of Required Off-Street Parking. Off-street parking facility requirements set forth in Table 17.64.02, Off-Street Parking Requirements, shall be applied as follows:

- a. Where the application of the schedule results in a fractional requirement it shall be rounded down to the lowest whole number.
- b. For purposes of this chapter, gross floor area shall not include enclosed or covered areas used for off-street parking or loading, or bicycle facilities.
- c. Where uses or activities subject to differing requirements are located in the same structure or on the same site, or are intended to be served by a common facility, the

total parking requirement shall be the sum of the requirements for each use or activity computed separately, except as adjusted through the Site Plan and Architectural Review process under the provisions of subsection 17.64.040(B)(c) of this chapter. The community development director, when issuing a permit(s) for multiple uses on a site, may restrict the hours of operation or place other conditions on the multiple uses so that parking needs do not overlap and may then modify the total parking requirement to be based on the most intense combination of uses at any one time.

- d. Where requirements are established on the basis of seats or person capacity, the building regulations provisions applicable at the time of determination shall be used to define capacity.
- e. Where residential use is conducted together with or accessory to other permitted uses, applicable residential requirements shall apply in addition to other nonresidential requirements.
- f. In addition to the parking requirements outlined in Table 17.64.02, *Off-Street Parking Standards*, parking for handicapped persons shall be provided pursuant to the requirements of Section 17.64.040(C), *Accessible Parking Requirements*.

B) Reduction of Maximum Off-Street Vehicle Parking. The off-street parking requirements in Table 17.64.02, *Off-Street Parking Requirements*, may be reduced in any commercial (C) or industrial (M) district as follows:

- a. By one space for each on-street parking space when it is on the block face abutting the subject land use. On-street parking spaces counted toward meeting the parking requirements of a specific use per this subsection may not be used exclusively by that use, but shall be available for general public use at all times. Signs or other actions that limit general public use of on-street spaces are prohibited.
- b. By up to 10 percent to preserve significant stands of trees or protected trees in addition to those required to be preserved by the Code.
- c. Through a separate parking demand analysis prepared by the applicant as part of the Site Plan and Architectural Review Process.

Unless otherwise specified, the above reductions may be applied cumulatively, but in no case may the maximum off-street parking requirements be reduced by more than 20 percent.

C) Accessible Parking Requirements. Where parking is provided accessory to a building, accessible parking shall be provided, constructed, striped, signed and maintained as required by ORS 447.233, and Section 1104 of the latest Oregon Structural Specialty Code, as set forth in this section

- a. The minimum number of accessible parking spaces shall be provided for all uses in accordance the standards in Table 17.74.03, *Minimum Number of Accessible Parking Spaces*. Parking spaces used to meet the standards in Table 17.64.03, *Minimum Number of Accessible Parking Spaces*, shall be counted toward meeting off-street parking requirements in Table 17.64.02, *Off-Street parking Requirements*. The accessible parking requirements set forth in Table 17.64.03, *Minimum Number of Accessible Parking Spaces*, are minimum

requirements and are not subject to reductions per Section 17.64.050(2);

b. Accessible parking shall be located in close proximity to building entrances and shall be designed to permit occupants of vehicles to reach the entrance on an unobstructed path or walkway; and

c. Accessible spaces shall be grouped in pairs where possible.

Required accessible parking spaces shall be identified with signs and pavement markings identifying them as reserved for persons with disabilities; signs shall be posted directly in front of the parking space at a height of no less than 42 inches and no more than 72 inches above pavement level. Van spaces shall be specifically identified as such.

TABLE 17.64.03 - MINIMUM NUMBER OF ACCESSIBLE PARKING SPACES ORS 442.233

<u>Total Number of Parking Spaces Provided (per lot)</u>	<u>Total Minimum Number of Accessible Parking Spaces (with 60" access aisle, or 96" aisle for vans*)</u>	<u>Van Accessible Parking Spaces with min. 96" wide access aisle</u>	<u>Accessible Parking Spaces with min. 60" wide access aisle</u>
<u>1 to 25</u>	<u>1</u>	<u>1</u>	<u>0</u>
<u>26 to 50</u>	<u>2</u>	<u>1</u>	<u>1</u>
<u>51 to 75</u>	<u>3</u>	<u>1</u>	<u>2</u>
<u>76 to 100</u>	<u>4</u>	<u>1</u>	<u>3</u>
<u>101 to 150</u>	<u>5</u>	<u>1</u>	<u>4</u>
<u>151 to 200</u>	<u>6</u>	<u>1</u>	<u>5</u>
<u>201 to 300</u>	<u>7</u>	<u>1</u>	<u>6</u>
<u>301 to 400</u>	<u>8</u>	<u>1</u>	<u>7</u>
<u>401 to 500</u>	<u>9</u>	<u>2</u>	<u>7</u>
<u>501 to 1000</u>	<u>2% of total parking provided in each lot</u>	<u>1/8 of Column A**</u>	<u>7/8 of Column A***</u>
<u>1001</u>	<u>20 plus 1 for each 100 over 1000</u>	<u>1/8 of Column A**</u>	<u>7/8 of Column A***</u>
<u>*vans and cars may share access aisles</u> <u>**one out of every 8 accessible spaces</u> <u>***7 out of every 8 accessible parking spaces</u>			

A)D) Section 17.64.060 Common Parking or Loading Areas-Shared Parking. Parking area requirements applicable to Required parking facilities for two or more uses, structures, or parcels of land in any commercial (C) or industrial (M) district may be satisfied by the establishment and maintenance of common parking areas the same parking facilities used jointly, to the extent that the owners or operators show that the need for parking facilities does not materially overlap (e.g., uses primarily of a daytime versus nighttime nature; weekday uses versus weekend uses), and provided that prior to the issuance of any building permit for the property that the right of joint use is evidenced by a recorded deed, lease, contract, or similar written instrument establishing the

joint use. The City may approve owner requests for shared parking through the Site Plan and Architectural Review process. Such areas shall be subject to approval by the planning commission as to size, shape, location and other manner provided in this chapter. If the common parking area and the buildings or building sites to be served are subject to more than one ownership, permanent improvement and maintenance of such parking facilities must be provided for and such facilities shall not be used for any other purpose, unless approved substitute parking areas are provided.

B)E) Off-Site Parking. Except for single-family dwellings, the vehicle parking spaces required by this Chapter may be located on another parcel of land, provided the parcel is within three hundred (300) feet of the use it serves and the City has approved the off-site parking through the Site Plan and Architectural Review process. The distance from the parking area to the use shall be measured from the nearest parking space to a building entrance, following a sidewalk or other pedestrian route. The right to use the off-site parking must be evidenced by a recorded deed, lease, easement, or similar written instrument in the same manner as set forth in Section ~~17.64.050040(4A)(c).~~

G)E) ~~17.64.050~~ Mixed Uses. In the case of mixed uses in a building or on a lot, the total requirements for off-street parking facilities shall be the sum of the requirements for each of the various uses, computed separately. Off-street parking facilities provided for one use shall not be considered as providing required parking space for any other use, except as specified in Section 17.64.060. If more than one type of land use occupies a single structure or parcel of land, the total requirements for off-street automobile parking shall be the sum of the requirements for all uses, unless it can be shown that the peak parking demands are actually less (see Section 17.64.040(D), Shared Parking).

D)G) ~~17.64.070~~ Compact Car Adjustment.

- a. Any parking lot or otherwise required public parking area containing ten or more parking spaces shall be eligible for a compact car adjustment, provided all requirements of this chapter are adequately met.
- b. Up to, but not exceeding, twenty-five (25) percent of the total number of required parking spaces may be designed and provided for the parking of compact cars.
- c. All compact parking spaces must be identified for compact parking only. Compact parking spaces shall have the following minimum dimensions: be designed in accordance with the minimum standards set forth in Section 17.75.039(B), Parking Stall Minimum Dimensions.
Width— as per Table I, as provided in Section 17.64.100.
Length— reduced column “C” in Table I by three feet, as provided in Section 17.64.100.
- d. ~~All compact car parking spaces shall be clearly marked as such, with such marking to be of the type found to be most appropriate by the planning commission.~~

E)H) ~~17.64.080~~ Change to Another Use.

Prior to the change of use of a building or structure the applicant shall demonstrate that adequate parking spaces are available to accommodate the new use(s) as required in this chapter. Areas needed to meet the parking requirements of a particular building or use shall not be transformed or changed to

another type of use, nor transferred to meet the parking requirements of another building or use until the original user of said parking area has adequately met the parking requirements of his use or has adequately provided his needed parking at another location approved by the planning commission. (Ord. 1436 §2(part), 1981).

Section 17.64.100 Off-Street Vehicular Parking Design and Development Standards. All off-street vehicular parking spaces shall be improved to conform with the following standards:

A. **Parking Stall Development and Minimum Dimensions.** All off-street parking spaces shall be improved to conform to city standards for surfacing, storm water management, and striping. Standard parking spaces shall conform to the following standards and the dimensions in Figure 1 and Table 17.64.03:

Figure 17.64.01

A = Parking Angle
B = Stall Width
C = Stall to Curb
D = Aisle Width
E = Curb Length per Vehicle
F1 = Maximum Center-to-Center Width of 2-Row Bin
F2 = Nested Center-to-Center Width of 2-Row Bin

TABLE 17.64.03. Parking Dimension Schedule

A	B	C	D	E	F1	F2
0-Degrees (parallel)	8.00	8.00	12.00	23.00	28.00	n.a.
	8.50	8.50	12.00	23.00	29.00	n.a.
	9.00	9.00	12.00	23.00	30.00	n.a.
	9.50	9.50	12.00	23.00	31.00	n.a.
20-Degrees	8.00	14.00	11.00	23.40	39.00	31.50
	8.50	14.50	11.00	24.90	40.00	32.00
	9.00	15.00	11.00	26.30	41.00	32.50
	9.50	15.50	11.00	27.80	42.00	33.10
30-Degrees	8.00	16.50	11.00	16.00	44.00	37.10
	8.50	16.90	11.00	17.00	44.80	37.40

	9.00	17.30	11.00	18.00	45.60	37.80
	9.50	17.80	11.00	19.00	46.60	38.40
40-Degrees	8.00	18.30	13.00	12.40	49.60	43.50
	8.50	18.70	12.00	12.20	49.40	42.90
	9.00	19.10	12.00	14.00	50.20	43.30
	9.50	19.50	12.00	14.80	51.00	43.70
45-Degrees	8.00	19.10**	14.00	11.30	52.20	46.50
	8.50	19.40**	13.50	12.00	52.30	46.30
	9.00	19.80**	13.00	12.70	52.60	46.20
	9.50	20.10**	13.00	13.40	53.20	46.50
50-Degrees	8.00	19.70**	14.00	10.50	53.40	48.30
	8.50	20.00**	12.50	11.10	52.50	47.00
	9.00	20.40**	12.00	11.70	52.80	47.00
	9.50	20.70**	12.00	12.40	53.40	47.30
60-Degrees	8.00	20.40**	19.00	9.20	59.80	55.80
	8.50	20.70**	18.50	9.80	59.90	55.60
	9.00	21.00**	18.00	10.40	60.00	55.50
	9.50	21.20**	18.00	11.00	60.40	55.60
70-Degrees	8.00	20.60**	20.00	8.50	61.20	58.50
	8.50	20.80**	19.50	9.00	61.10	58.20
	9.00	21.00**	19.00	9.60	61.00	57.90
	9.50	21.20**	18.50	10.10	60.90	57.70
80-Degrees	8.00	20.10**	25.00*	8.10	65.20	63.80
	8.50	20.20**	24.00*	8.60	64.40	62.90

	9.00	20.30**	24.00*	9.10	64.30	62.70
	9.50	20.40**	24.00*	9.60	64.40	62.70
90-Degrees	8.00	19.00**	26.00*	8.00	64.00	n.a.
	8.50	19.00**	25.00*	8.50	63.00	n.a.
	9.00	19.00**	24.00*	9.00	62.00	n.a.
	9.50	19.00**	24.00*	9.50	62.00	n.a.

Notes:

* Two-way circulation

** Maximum deduction of two feet for overhang when curb serves as wheel stop

~~B. When a concrete curb is used as a wheel stop, it may be placed within the parking space up to two feet from the front of a space. In such cases, the area between the wheel stop and landscaping need not be paved provided it is maintained with appropriate ground cover, or walkway. In no event shall the placement of wheel stops reduce the minimum landscape or walkway width requirements.~~

~~C. Access. There shall be adequate provision for ingress and egress to all parking spaces.~~

~~D. Driveways. Driveway width shall be measured at the driveway's narrowest point, including the curb cut. The design and construction of driveways shall be as set forth in the Standard Specifications and Public Works Department Standards and Specifications.~~

~~E. Improvement of Parking Spaces:~~

~~1. All areas utilized for off-street parking, access and maneuvering of vehicles shall be paved with durable materials for all-weather use and shall be adequately drained, including prevention of the flow of runoff water across sidewalks or other pedestrian areas.~~

~~2. Required parking areas shall be designed with painted striping or other approved method of delineating the individual spaces, with the exception of lots containing single or two-family dwellings.~~

~~3. Parking spaces for uses other than one and two-family dwellings shall be designed so that no backing movements or other maneuvering within a street or other public right-of-way shall be necessary.~~

~~4. Any lighting used to illuminate off-street parking or loading areas shall be so arranged as to reflect the light away from adjacent streets or properties.~~

~~5. Service drives shall have a minimum vision clearance area formed by the intersection of the driveway centerline, the street right-of-way line, and a straight line joining the lines through points twenty feet from their intersection.~~

6. ~~Parking spaces located along the outer boundaries of a parking lot shall be contained by a curb or a bumper rail so placed to prevent a motor vehicle from extending over an adjacent property line, a public street, public sidewalk, or a required landscaping area.~~

7. ~~Parking, loading, or vehicle maneuvering areas shall not be located within the front yard area or side yard area of a corner lot abutting a street in any residential (R) district, nor within any portion of a street setback area that is required to be landscaped in any commercial (C) or industrial (M) district.~~

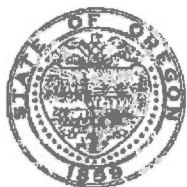
F. ~~Limitation on Use of Parking Areas. Required parking areas shall be used exclusively for vehicle parking in conjunction with a permitted use and shall not be reduced or encroached upon in any manner. The parking facilities shall be so designed and maintained as not to constitute a nuisance at any time, and shall be used in such a manner that no hazard to persons or property, or unreasonable impediment to traffic, will result.~~

I) Bicycle Parking. Bicycle parking shall be provided in accordance Table 17.64.04, *Bicycle Parking Requirements*.

TABLE 17.64.04 BICYCLE PARKING REQUIREMENTS

<u>Land Use</u>	<u>Minimum Required</u>	<u>Minimum Covered</u>
<u>Residential</u>		
<u>Single-Family Residential</u>	<u>NA</u>	<u>NA</u>
<u>Multi-Family Residential, General</u>	<u>1 space per unit</u>	<u>100%</u>
<u>Multi-Family Residential, Seniors or with Physical Disabilities</u>	<u>1 space per 5 units</u>	<u>100%</u>
<u>Institutional</u>		
<u>Schools, Elementary</u>	<u>4 spaces per classroom</u>	<u>100%</u>
<u>Schools, Junior High/Middle School</u>	<u>4 spaces per classroom</u>	<u>100%</u>
<u>Schools, Senior High</u>	<u>8 spaces per classroom</u>	<u>100%</u>
<u>College/Trade School</u>	<u>1 space per 4 students</u> <u>(plus 1 space per student housing room/unit)</u>	<u>100%</u>
<u>Transit Centers/Park & Ride Lots</u>	<u>5% of automobile parking spaces</u>	<u>100%</u>
<u>Religious Institutions</u>	<u>1 space per 40 seat capacity</u>	<u>25%</u>
<u>Hospitals</u>	<u>1 space per 5 beds</u>	<u>75%</u>
<u>Doctor/Dentist Offices</u>	<u>2 or 1 space per 1,000 sq. ft.,</u> <u>whichever is greater</u>	<u>25%</u>
<u>Libraries/Museums, etc.</u>	<u>2 or 1 space per 1,000 sq. ft.,</u> <u>whichever is greater</u>	<u>25%</u>
<u>Commercial</u>		
<u>Retail Sales</u>	<u>0.33 spaces per 1,000 sq. ft.</u>	<u>50%</u>
<u>Auto-Oriented Sales</u>	<u>2 or 0.33 spaces per 1,000 sq. ft.,</u> <u>whichever is greater</u>	<u>10%</u>
<u>Groceries/Supermarkets</u>	<u>0.33 spaces per 1,000 sq. ft.</u>	<u>10%</u>
<u>Office</u>	<u>2 or 1 space per 1,000 sq. ft.,</u> <u>whichever is greater</u>	<u>10%</u>

<u>Restaurant</u>	<u>1 space per 1,000 sq. ft.</u>	<u>25%</u>
<u>Drive-In Restaurant</u>	<u>1 space per 1,000 sq. ft.</u>	<u>25%</u>
<u>Shopping Center</u>	<u>0.33 spaces per 1,000 sq. ft.</u>	<u>50%</u>
<u>Financial Institutions</u>	<u>2 or 0.33 spaces per 1,000 sq. ft.</u> <u>whichever is greater</u>	<u>10%</u>
<u>Theaters/Auditoriums, etc.</u>	<u>1 space per 30 seats</u>	<u>10%</u>
<u>Industrial</u>		
<u>Industrial Park</u>	<u>2 or 0.1 space per 1,000 sq. ft.</u> <u>whichever is greater</u>	<u>100%</u>
<u>Warehouse</u>	<u>2 or 0.1 space per 1,000 sq. ft.</u> <u>whichever is greater</u>	<u>100%</u>
<u>Manufacturing, etc.</u>	<u>2 or 0.15 space per 1,000 sq. ft.</u> <u>whichever is greater</u>	<u>100%</u>



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development Community Services Division

644 A Street
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Web Address: <http://www.oregon.gov/LCD>

October 11, 2010

Didi Thomas
Central Point Planning Department
City of Central Point
140 S Third St
Central Point OR 97502



Subject: Proposed Code amendment to Section 17.64, Local File # 11004; DLCD File # PAPA 004-10

Dear Ms. Thomas,

Thank you for giving the department the opportunity to review the proposed amendment to reduce required off-street parking, address bicycle parking needs, and establish maximum off-street parking requirements.

Generally the department is very pleased with this and other recent plan amendments to Central Point's development code that exemplify many smart development principles which will help Central Point achieve its goal of being a vibrant place to live and do business. In reviewing this PAPA, however, we would encourage you to take another look at your residential parking requirements to see if they are really what you want. The way we read it, people wouldn't be able to park in a driveway in single-family development.

Please include this letter in the record of all proceedings on this matter, and please call me to discuss any questions or concerns that you may have.

Respectfully,

Ed Moore, AICP
Regional Representative

- c. Gloria Gardiner, Urban Planning Specialist
- Bill Holmstrom, Transportation Planner
- Darren Nichols, Community Services Manager
- File



Oregon

Theodore R. Kulongoski, Governor

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October 12, 2010

Didi Thomas
Central Point Planning Department
City of Central Point
140 S Third St
Central Point OR 97502



Subject: Proposed Code amendment to Section 17.75, Local File # 11006; DLCD File # PAPA 005-10

Dear Ms. Thomas,

Thank you for giving the department the opportunity to review the proposed amendment to establish design and development standards for commercial development in Central Point.

Generally the department is very pleased with this and other recent plan amendments to Central Point's development code that exemplify many smart development principles which will help Central Point achieve its goal of being a vibrant place to live and do business. Remember, when you begin your work on drafting design and development standards for residential development, they will need to be "clear and objective". The city may want to consider having a 2-track process for residential development; one that uses "clear and objective standards" and a second that an applicant can use that that is more descressionary, but has benefits for both the city and the developer.

We look forward to reviewing you proposed design and development standards for industrial and residential development in the future. Please do not hesitate to call if you would like us to participate or provide technical support in any way.

Please include this letter in the record of all proceedings on this matter, and please call me to discuss any questions or concerns that you may have.

Respectfully,

Ed Moore, AICP
Regional Representative

- c. Gloria Gardiner, Urban Planning Specialist
- Bill Holmstrom, Transportation Planner
- Darren Nichols, Community Services Manager
- File

CHAPTER 17.75 DESIGN AND DEVELOPMENT STANDARDS

17.75.010 Purpose

17.75.020 Applicability

17.75.030 Site Design and Development Standards

17.75.031 General Connectivity, Access, and Circulation Standards

17.75.033 Residential Site Design and Development Standards

17.75.035 Commercial Site Design and Development Standards

17.75.037 Industrial Site Design and Development Standards

17.75.039 Parking Standards

17.75.040 Building Design and Development Standards

17.75.041 Residential Building Design and Development Standards (RESERVED)

17.75.042 Commercial Building Design and Development Standards

17.75.043 Industrial Building Design and Development Standards (RESERVED)

17.75.050 Sign Standards (RESERVED)

17.75.060 Exceptions

17.75.070 Definitions

17.75.010. Purpose

The purpose of this chapter is to set forth clear and objective design and development standards to facilitate the submittal and review of development proposals in a manner that implements the goals and policies of the Comprehensive Plan maintain and enhance the city's Small Town Environment. The standards set forth in this chapter are considered minimums and may be, on a case by case basis, supplemented by the approving authority as necessary to mitigate impacts on abutting property that are unique to the proposed development.

17.75.020. Applicability

The regulations set forth in this chapter apply to all development within the City of Central Point.

17.75.030. Site Design and Development Standards

The design and development standards of this section apply to all development within the City of Central Point. The site design and development standards are presented in two parts;

17.75.031 General Connectivity, Circulation and Access Standards.

The purpose of this section is to assure that the connectivity and transportation policies of the City's Transportation System Plan are implemented. In achieving the objective of maintaining and enhancing the City's small town environment it is the City's goal to base its development pattern on a general circulation grid using a walkable block system. Blocks may be comprised of public/private street right-of-way, or accessways.

1. **Streets and Utilities.** The public street and utility standards set forth in the *City of Central Point Department of Public Works Standard Specifications and Uniform Standard Details for Public Works Construction* shall apply to all development within the City.
2. **Block Standards.** The following block standards apply to all development:
 - a. Block perimeters shall not exceed two thousand 2,000 feet measured along the public street right-of-way, or outside edges of accessways, or other acknowledged block boundary as described in subsection d.
 - b. Block lengths shall not exceed six hundred feet between through streets or pedestrian accessways, measured along street right-of-way, or the pedestrian accessway. Block dimensions are measured from right-of-way to right-of-way along street frontages. A block's perimeter is the sum of all sides.
 - c. Accessways or private/retail streets may be used to meet the block length or perimeter standards of this section provided they are designed in accordance with this section and are open to the public at all times.
 - d. The standards for block perimeters and lengths may be modified to the minimum extent necessary based on written findings that compliance with the standards are not reasonably practicable or appropriate due to:
 - i. Topographic constraints;
 - ii. Existing development patterns on abutting property which preclude the logical connection of streets or accessways;
 - iii. Major public facilities abutting the property such as railroads and freeways;
 - iv. Traffic safety concerns;
 - v. Functional and operational needs to create large commercial building(s); or
 - vi. Protection of significant natural resources.
3. **Driveway and Property Access Standards.** Vehicular access to properties shall be located and constructed in accordance with the standards set forth in the *City of Central Point Department of Public Works Standard Specifications and Uniform Standard Details for Public Works Construction, Section 320.10.30 – Driveway and Property Access*.
4. **Pedestrian Circulation.** Attractive access routes for pedestrian travel shall be provided through the public sidewalk system, and where necessary supplemented through the use of pedestrian accessways as required to accomplish the following:
 - a. Reducing distances between destinations or activity areas such as public sidewalks and building entrances;
 - b. Bridging across barriers and obstacles such as fragmented pathway systems, wide streets, heavy vehicular traffic, and changes in level by connecting pedestrian pathways with clearly marked crossings and inviting sidewalk design;

c. Integrating signage and lighting system which offers interest and safety for pedestrians;

d. Connecting parking areas and destinations with retail streets or pedestrian accessways identified through use of distinctive paving materials, pavement striping, grade separation, or landscaping.

6. Accessways, Pedestrian.

Pedestrian accessways may be used to meet the block requirements of Section 17.75.031(2). When used pedestrian accessways shall be developed as illustrated in Figure 17.75.01. All landscaped areas next to pedestrian accessways shall be maintained, or plant materials chosen, to maintain a clear sight zone between three and eight feet

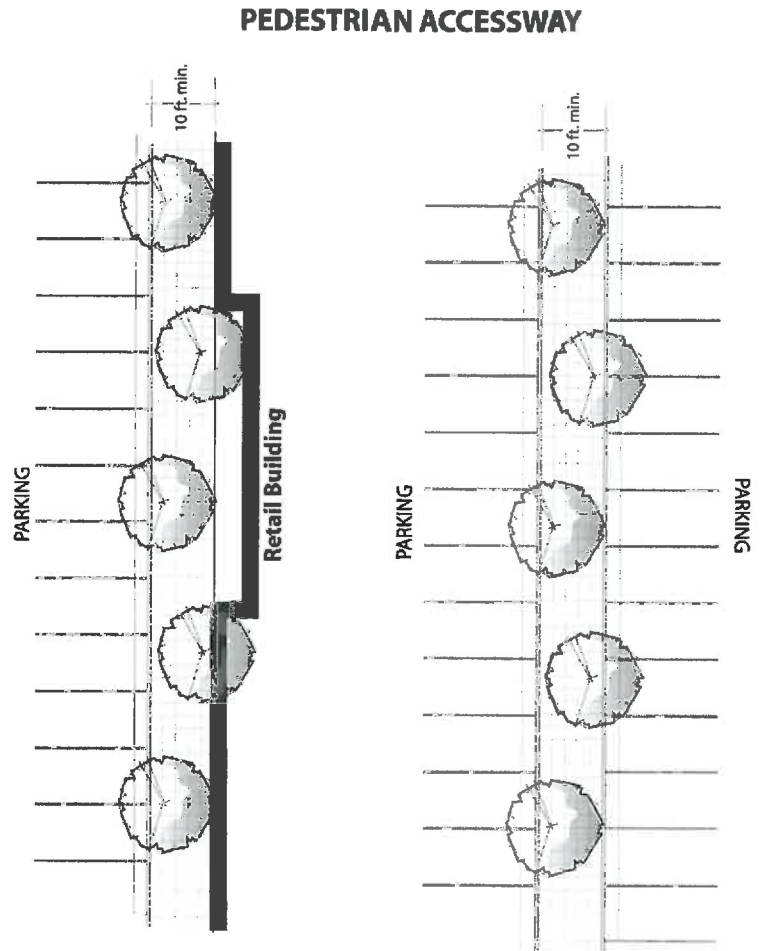


FIGURE 17.75.01

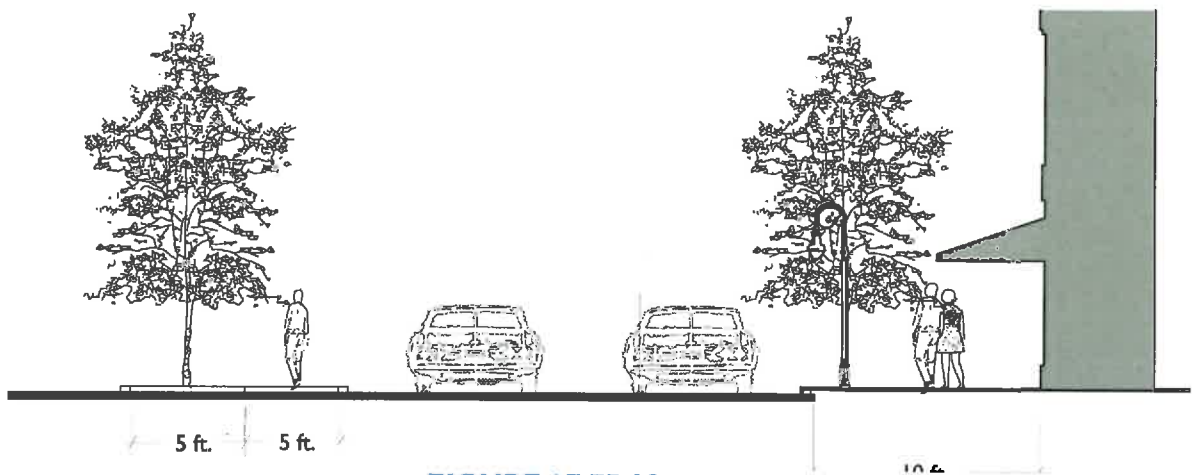


FIGURE 17.75.02

RETAIL STREET

35' Right-of-Way
Travel Lanes (2 @ 12 feet)
On-Street Parking Lanes (optional)
Sidewalks (1 @ 5 feet, 1 @ 10 feet)

from the ground level.

7. Retail Street. Retail streets may be used to meet the block requirements of Section 17.75.031(2). When used retail streets shall be developed as illustrated in Figure 17.75.02.

17.75.033 Residential Site Design and Development Standards (RESERVED)

17.75.035 Commercial Site Design and Development Standards

a. Commercial Site Design Standards. The lot area, dimension, set back, and coverage requirements for development within commercial districts shall be subject to the standards set forth in Table 17.75.02.

TABLE 17.75.02 COMMERCIAL SITE DEVELOPMENT STANDARDS

	Commercial District			
	C-N	C-2(M)	C-4	C-5
Lot Area	N.A.	N.A.	N.A.	N.A.
Lot Width	N.A.	N.A.	N.A.	50 ft.
Lot Depth	N.A.	N.A.	N.A.	100 ft.
Setbacks				
Front Yard	N.A.	15 ft.	10 ft.	10 ft. ³
Side Yard	N.A.	5 ft.	5 ft. ⁴	0 ft. – 5 ft. ¹
Rear Yard	N.A.	N.A.	10 ft. ⁵	0 ft. – 20 ft. ²
Lot Coverage	50%	50%	N.A.	N.A.
<ol style="list-style-type: none"> Wherever the side or rear yard property lines of a parcel in the C-5 district abut parcels in a residential (R) district, a solid wall or fence, vine-covered open fence or compact evergreen hedge six feet in height shall be located on that property line and continuously maintained to ensure effective buffering and visual screening between the two land uses. Where a public alley or street separates the two properties, the barrier or screen shall be placed on the C-5 property at the time of construction and may include driveway and pedestrian openings to the alley or street, as approved by the planning commission. Where abutting a residential zone the rear yard setbacks shall be a minimum of 20 ft., except when separated by an alley or public street, in which case no rear yard setback is required. When off-street parking is located in the front yard area, the landscaped strip may be reduced to not less than six feet with the planning commission approval of the site plan. Plus ½ ft. for each ft. of building height in excess of 20 ft. Except when the rear property line abuts any residential (R) district or any unincorporated lands, the rear yard shall be increased by ½ ft. for each ft. of building height in excess of 20 ft. 				

17.75.037 Industrial Site Design and Development Standards (RESERVED)

17.75.039 Off-Street Parking Design and Development Standards. All off-street vehicular parking spaces shall be improved to the following standards:

A. Connectivity. Parking lots for new development shall be designed to provide vehicular and pedestrian connections to adjacent sites unless as a result of any of the following such connections are not possible:

- Topographic constraints;
- Existing development patterns on abutting property which preclude a logical connection;

- c. Traffic safety concerns; or
- d. Protection of significant natural resources.

B. Parking Stall Minimum Dimensions. All off-street parking spaces shall be improved to conform to city standards for surfacing, storm water management, and striping. Standard parking spaces shall conform to the following standards and the dimensions in Figure 17.75.03 and Table 17.75.02.

C. Access. There shall be adequate provision for ingress and egress to all parking spaces.

D. Driveways. Driveway width shall be measured at the driveway's narrowest point, including the curb cut. The design and construction of driveways shall be as set forth in the *Standard Specifications and Public Works Department Standards and Specifications*.

E. Improvement of Parking Spaces.

- a. When a concrete curb is used as a wheel stop, it may be placed within the parking space up to two feet from the front of a space. In such cases, the area between the wheel stop and landscaping need not be paved provided it is maintained with appropriate ground cover, or walkway. In no event shall the placement of wheel stops reduce the minimum landscape or walkway width requirements.

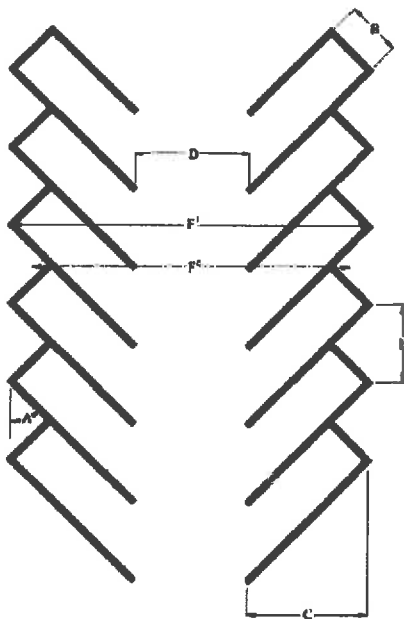


Figure 17.75.03

- A = Parking Angle
- B = Stall Width
- C = Stall to Curb
- D = Aisle Width
- E = Curb Length
- F1 = Maximum Center-to-Center Width of 2-Row Bin
- F2 = Nested Center-to-Center Width of 2-Row Bin

TABLE 17.75.02. PARKING DIMENSION SCHEDULE

A	B	C	D	E	F1	F2
0 Degrees (parallel)	8.00	8.00	12.00	23.00	28.00	n.a.
	8.50	8.50	12.00	23.00	29.00	n.a.
	9.00	9.00	12.00	23.00	30.00	n.a.
	9.50	9.50	12.00	23.00	31.00	n.a.
20 Degrees	8.00	14.00	11.00	23.40	39.00	31.50
	8.50	14.50	11.00	24.90	40.00	32.00
	9.00	15.00	11.00	26.30	41.00	32.50
	9.50	15.50	11.00	27.80	42.00	33.10
30 Degrees	8.00	16.50	11.00	16.00	44.00	37.10
	8.50	16.90	11.00	17.00	44.80	37.40
	9.00	17.30	11.00	18.00	45.60	37.80
	9.50	17.80	11.00	19.00	46.60	38.40
40 Degrees	8.00	18.30	13.00	12.40	49.60	43.50
	8.50	18.70	12.00	12.20	49.40	42.90
	9.00	19.10	12.00	14.00	50.20	43.30
	9.50	19.50	12.00	14.80	51.00	43.70
45 Degrees	8.00	19.10**	14.00	11.30	52.20	46.50
	8.50	19.40**	13.50	12.00	52.30	46.30
	9.00	19.80**	13.00	12.70	52.60	46.20
	9.50	20.10**	13.00	13.40	53.20	46.50
50 Degrees	8.00	19.70**	14.00	10.50	53.40	48.30
	8.50	20.00**	12.50	11.10	52.50	47.00

	9.00	20.40**	12.00	11.70	52.80	47.00
	9.50	20.70**	12.00	12.40	53.40	47.30
60 Degrees	8.00	20.40**	19.00	9.20	59.80	55.80
	8.50	20.70**	18.50	9.80	59.90	55.60
	9.00	21.00**	18.00	10.40	60.00	55.50
	9.50	21.20**	18.00	11.00	60.40	55.60
70 Degrees	8.00	20.60**	20.00	8.50	61.20	58.50
	8.50	20.80**	19.50	9.00	61.10	58.20
	9.00	21.00**	19.00	9.60	61.00	57.90
	9.50	21.20**	18.50	10.10	60.90	57.70
80 Degrees	8.00	20.10**	25.00*	8.10	65.20	63.80
	8.50	20.20**	24.00*	8.60	64.40	62.90
	9.00	20.30**	24.00*	9.10	64.30	62.70
	9.50	20.40**	24.00*	9.60	64.40	62.70
90 Degrees	8.00	19.00**	26.00*	8.00	64.00	n.a.
	8.50	19.00**	25.00*	8.50	63.00	n.a.
	9.00	19.00**	24.00*	9.00	62.00	n.a.
	9.50	19.00**	24.00*	9.50	62.00	n.a.

Notes:

* Two-way circulation

** Maximum deduction of two feet for overhang when curb serves as wheel stop

b. All areas utilized for off-street parking, access and maneuvering of vehicles shall be paved to the standards of the City of Central Point for all-weather use and shall be adequately drained, including prevention of the flow of runoff water across sidewalks or other pedestrian areas. Required parking areas shall be designed with painted striping or other approved method of delineating the individual spaces, with the exception of lots containing single-family or two-family dwellings.

- c. Parking spaces for uses other than one- and two-family dwellings shall be designed so that no backing movements or other maneuvering within a street or other public right-of-way shall be necessary.
- d. Any lighting used to illuminate off-street parking or loading areas shall be so arranged as to reflect the light away from adjacent streets or properties.
- e. Service drives shall have a minimum vision clearance area formed by the intersection of the driveway centerline, the street right-of-way line, and a straight line joining the lines through points twenty feet from their intersection.
- f. Parking spaces located along the outer boundaries of a parking lot shall be contained by a curb or a bumper rail so placed to prevent a motor vehicle from extending over an adjacent property line, a public street, public sidewalk, or a required landscaping area.
- g. Parking, loading, or vehicle maneuvering areas shall not be located within the front yard area or side yard area of a corner lot abutting a street in any residential (R) district, nor within any portion of a street setback area that is required to be landscaped in any commercial (C) or industrial (M) district.

F. Limitation on Use of Parking Areas. Required parking areas shall be used exclusively for vehicle parking in conjunction with a permitted use and shall not be reduced or encroached upon in any manner. The parking facilities shall be so designed and maintained as not to constitute a nuisance at any time, and shall be used in such a manner that no hazard to persons or property, or unreasonable impediment to traffic, will result.

G. Parking Facility Landscaping and Screening. Parking lot landscaping shall be used to reinforce pedestrian and vehicular circulation, including parking lot entries, pedestrian accessways, and parking aisles. To achieve this objective the following minimum standards shall apply; however, additional landscaping may be recommended during the Site Plan and Architectural Review process (Section 17.72). All parking lots shall be landscaped in accordance with the following standards:

TABLE 17.75.03 PARKING FACILITY PERIMETER AND STREET FRONTAGE LANDSCAPING STANDARDS

Street Frontage	Min. Planting Area Width	Plants Required per 100 Lineal Ft. of Street Frontage	
		Trees	Shrubs
Arterial/Collector	15 ft.	4	20
Local	10 ft.	3	15
Perimeter (Abutting) Land Use			
Residential	20 ft.	4	20
Commercial	10 ft.	3	15
Industrial	5 ft.	2	10

- a. **Perimeter and Street Frontage Landscaping Requirements.** The perimeter and street frontage for all parking facilities shall be landscaped according to the standards set

forth in Table 17.75.03.

b. **Terminal and Interior Islands.** For parking lots in excess of 10 spaces all rows of parking spaces must provide terminal and interior islands a minimum of six (6) feet in width to protect parked vehicles, provide visibility, confine traffic to aisles and driveways, and provide a minimum of five (5) feet of space for landscaping. In addition, when 10 or more vehicles would be parked side-by-side in an abutting configuration, interior landscaped islands a minimum of eight (8) feet wide must be located within the parking row. For parking lots greater than fifty (50) parking spaces, the location of interior landscape island shall be allowed to be consolidated for planting of large stands of trees to break up the scale of the parking lot.

i. The number of trees required in the interior landscape area shall be dependent upon the location of the parking lot in relation to the building and public right-of-way:

- a) Where the parking lot is located between the building and the public right-of-way, one tree for every four spaces;
- b) Where the parking lot is located to the side of the building and partially abuts the public right-of-way, one tree for every six spaces;
- c) Where the parking lot is located behind the building and is not visible from the public right-of-way, one tree for every eight spaces.

c. **Bioswales.** The use of bioswales within parking lots is encouraged and may be located within landscape areas subject to Site Plan and Architectural Review. The tree planting standards may be reduced in areas dedicated to bioswales subject to Site Plan and Architectural Review.

H. Bicycle Parking. The amount of bicycle parking shall be provided in accordance 17.64.04 and constructed in accordance with the following standards:

a) **Location of Bicycle Parking.** Required bicycle parking facilities shall be located on-site in well lighted, secure locations within 50 feet of well-used entrances and not farther from the entrance than the closest automobile parking space. Bicycle parking shall have direct access to both the public right-of-way and to a main entrance of the principal use. Bicycle parking may also be provided inside a building in suitable, secure and accessible locations. Bicycle parking for multiple uses (such as in a commercial center) may be clustered in one or several locations.

b) **Bicycle Parking Design Standards.** All bicycle parking and maneuvering areas shall be constructed to the following minimum design standards

i. **Surfacing:** Outdoor bicycle parking facilities shall be surfaced in the same manner as a motor vehicle parking area or with a minimum of a three-inch thickness of hard surfacing (i.e., asphalt, concrete, pavers or similar material). This surface will be maintained in a smooth, durable and well-drained condition.

ii. **Parking Space Dimension Standard:** Bicycle parking spaces shall be at least 6 feet long and 2 feet wide with minimum overhead clearance of 7 feet.

iii. **Lighting:** Lighting shall be provided in a bicycle parking area so that all facilities are thoroughly illuminated and visible from adjacent sidewalks or motor vehicle parking lots during all hours of use.

iv. **Aisles:** A 5-foot aisle for bicycle maneuvering shall be provided and maintained beside or between each row of bicycle parking.

v. **Signs:** Where bicycle parking facilities are not directly visible from the public rights-of-way, entry and directional signs shall be provided to direct bicycles from the public rights-of-way to the bicycle parking facility.

c) **Exceptions to Bicycle Parking.** The community development director may allow exceptions to the bicycle parking standards in connection with temporary uses or uses that do not generate the need for bicyclists parking such as Christmas tree sales and mini-storage units.

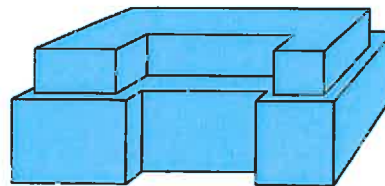
17.75.040 Building Design Standards. The following building design standards are established to maintain and enhance the Small Town Character of the City.

17.75.041 Residential Building Design Standards (RESERVED)

17.75.042 Commercial Building Design Standards. The following design standards are applicable to development in all commercial zoning districts, and are intended to assure pedestrian scale commercial development that supports and enhances the small town character of the community. All publicly visible buildings shall comply with the standards set forth in this section.

A. Massing, Articulation, Transparency, and Entrances

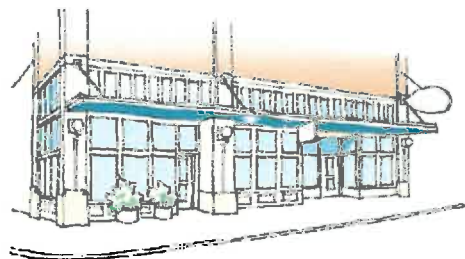
1. Building Massing. The “top” of the building shall emphasize a distinct profile or outline with elements such as a projecting parapet, cornice, upper level setback, or pitched roofline.



2. Façade Articulation. Facades longer than forty (40) feet and fronts on a street, sidewalk, accessway or residential area shall be divided into small units through the use of articulation, which may include offsets, recesses, staggered walls, stepped walls, pitched or stepped rooflines, overhangs, or other elements of the building’s mass.

For purposes of complying with the requirements in this subsection “façade articulation” shall consist of a combination of two of the following design features:

a. Changes in plane with a depth of at least 24 inches, either horizontally or vertically, at



intervals of not less than 20 feet and not more than 40 feet; or

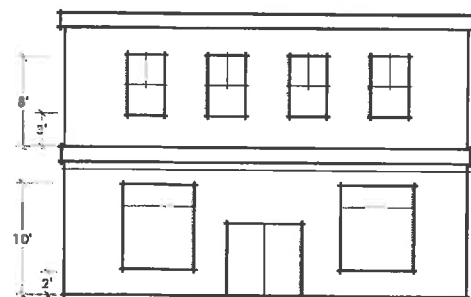
- b. Changes of color, texture, or material, either horizontally or vertically, at intervals of not less than 20 feet and not more than 100 feet; or
- c. A repeating pattern of wall recesses and projections, such as bays, offsets, reveals or projecting ribs, that has a relief of at least eight inches.

3. Pedestrian Entrances. For buildings adjacent to a street, a primary pedestrian entrance shall be provided that is easily visible, or easily accessible, from the street right-of-way, or a pedestrian access way. To ensure that building entrances are clearly visible and identifiable to pedestrians the principal entry to the building shall be made prominent with canopies, or overhangs.

To achieve the objectives of this subsection the design of a primary entrance should be incorporated at least three of the following design criteria:

- a. Building facades over two hundred feet in length facing a street or accessway shall provide two or more public building entrances off the street.
- b. Architectural details such as arches, friezes, tile work, murals, or moldings;
- c. Integral planters or wing walls that incorporate landscape or seating;
- d. Enhanced exterior light fixtures such as wall sconces, light coves with concealed light sources, ground-mounted accent lights, or decorative pedestal lights;
- e. Prominent three-dimensional features, such as belfries, chimneys, clock towers, domes, spires, steeples, towers, or turrets; and
- f. A repeating pattern of pilasters projecting from the façade wall by a minimum of eight inches or architectural or decorative columns.

4. Transparency. Transparency (glazing) provides interest for the pedestrian, connects the building exterior and interior, puts eyes on the street/parking, promotes reusability, and provides a human-scale element on building facades. The transparency standard applies to the building facades that front a street, sidewalk, or accessway. Projects subject to this section shall meet the following minimum glazing requirements:



- a. A minimum of forty (40) percent of any ground floor façade shall be comprised of transparent glazing from windows or doors. Reflective or tinted

glass, or film is not permitted on ground floor façade windows. See subsection 17.75.070(4)(f) for alternative design solutions.

b. The second floor must provide a minimum of 25 percent glazing between three and eight feet, as measured from that story's finished floor level.

c. On all other publicly visible facades, at least 25 percent of the wall area between two and ten feet above grade must consist of glazing. This requirement shall not apply if the building code prohibits windows on such facades.



d. If a single-story building has a façade taller than 20 feet, the façade area above 15 feet is subject to the same window requirement as the second floor requirement in Subsection b.

e. Any façade that is built up to an interior mid-block property line is not required to have glazing on that façade if no prohibitions and no contractual or legal impediments exist that would prevent a building being constructed on the adjacent property up to the wall of the façade.

f. Where transparent windows are not provided on at least forty (40) percent of walls (or portions of walls) to meet the intent of this section, at least three (3) of the following elements shall be incorporated:

- i. Masonry (but not flat concrete block);
- ii. Concrete or masonry plinth at wall base;
- iii. Belt courses of a different texture and color;
- iv. Projecting cornice;
- v. Projecting awning/canopy (minimum 4 ft. overhang);
- vi. Decorative tile work;
- vii. Trellis containing planting;
- viii. Artwork of a scale clearly visible from the associated right-of-way;
- ix. Vertical articulation;
- x. Lighting fixtures;
- xi. Recesses or bays;

- xii. Use of other architectural elements not listed that is demonstrated to meet the intent of this section.

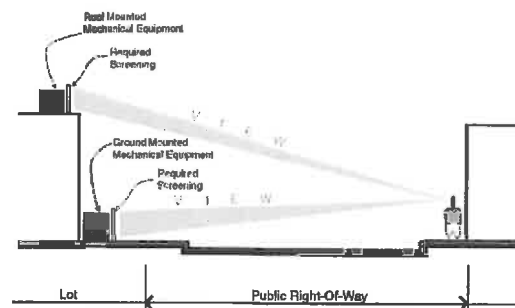
5. Wall Faces. To ensure that buildings do not display unembellished walls visible from public or residential areas the following standards are imposed on wall faces that front a street, sidewalk, accessway, or an abutting residential zone:

- a. As applicable each side of a building shall be given architectural treatment to meet the intent of this section by using three (3) or more of the following:
 - i. Varying rooflines with one foot or greater changes of height at least every forty (40) feet;
 - ii. Transparent windows that comprise at least forty (40) percent of the visible façade;
 - iii. Secondary entrances that include glazing and landscape treatment;
 - iv. Balconies;
 - v. Awnings/canopies;
 - vi. Planted trellises;
 - vii. Projecting cornices at least twelve inches in height;
 - viii. Variation in building form and materials demonstrated to meet the intent of this section.
- c. Building facades adjoining other buildings (attached to more than 50% of the sidewall), or designed to abut other buildings are exempt.
- d. Building facades not abutting residentially zoned lands, but facing loading areas, or rear services areas are exempt.

6. Screening of Service Areas and Rooftop Equipment. Publicly visible Service areas, loading zones, waste disposal, storage areas, and rooftop equipment (mechanical and communications) shall be fully screened from the ground level of nearby streets and residential areas within 200 feet, the following standards apply:

a. Service Areas

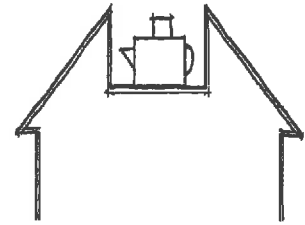
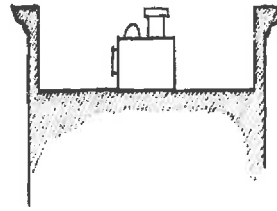
- i. A six-foot masonry enclosure, decorative metal fence enclosure, a wood enclosure; or other approved materials complementary to adjacent buildings; or



- ii. A six-foot solid hedge or other plant material screening as approved.

b. Rooftop Equipment

- i. Mechanical equipment shall be screened by extending parapet walls or other roof forms that are integrated with the architecture of the building. Painting of rooftop equipment or erecting fences are of screening.



not acceptable methods

- ii. Rooftop mounted voice/data transmission equipment shall be integrated with the design of the roof, rather than being simply attached to the roof-deck.

17.75.043 Industrial Building Design Standards (RESERVED)

17.75.050 Signage Standards (RESERVED)

17.75.060 Exceptions

Exceptions to the standards set forth in this subsection shall be processed as a Class "A" variance per Chapter 17.13.

17.75.070 Definitions

The following definitions are applicable to all of Chapter 17.75:

Pedestrian Accessway. The term "pedestrian accessway" means a walkway that provides pedestrian and/or bicycle passage either between streets or from a street to a building or other destination such as a school, park, or transit stop.

Block. The term "block" means the area surrounded by streets, or a combination of streets, existing development, accessways, and/or impenetrable natural features. The block is the core element of the City's small town urban design strategy, and is the foundation of the City's pedestrian friendly development goals. Depending on the underlying zoning, blocks may be subdivided into any number of smaller lots or parcels, or other forms of tenure. The minimum and maximum requirements for block size are set forth in Section 17.75.030 of this chapter.

Building Façade Line. A line that is parallel to a lot line or internal circulation route curb line, as applicable, and the same distance from the lot line or curb line as the closest portion of a building.

Glazing. The panes or sheets of glass or other non-glass material made to be set in frames, as in windows or doors.

Parking Space. The term "parking space" means on-street and off-street parking spaces designated for automobile parking.

Street. The term "street" means the entire area within the right-of-way lines of every public, or private way used for vehicular, bicycle, and pedestrian traffic and includes the terms road, highway, lane, place, avenue, alley, and other similar designation.

Street, Retail. A street, either public or private, with or without on-street parking, that is the primary frontage for commercial lots.

Small Town Environment. The citizens of Central Point recognize and support the continued growth of the community, provided that such growth maintains and enhances the City's small town character as represented by the development of a pedestrian scale city. The term "small town environment" refers to the physical and social advantages of a community that is designed to be walkable, safe, and buildings designed with the pedestrians in mind (human scale).

Principal Entrance. The place of ingress and egress most frequently used by the public.

Publicly Visible. A site, building, structure, object, or any part thereof, that is visible from a public street or other area to which the public has legal access, from a vantage point of three feet to six feet off the ground.



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development Community Services Division

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October 11, 2010

Didi Thomas
Central Point Planning Department
City of Central Point
140 S Third St
Central Point OR 97502



Subject: Proposed Code amendment to Section 17.64, Local File # 11004; DLCD File # PAPA 004-10

Dear Ms. Thomas,

Thank you for giving the department the opportunity to review the proposed amendment to reduce required off-street parking, address bicycle parking needs, and establish maximum off-street parking requirements.

Generally the department is very pleased with this and other recent plan amendments to Central Point's development code that exemplify many smart development principles which will help Central Point achieve its goal of being a vibrant place to live and do business. In reviewing this PAPA, however, we would encourage you to take another look at your residential parking requirements to see if they are really what you want. The way we read it, people wouldn't be able to park in a driveway in single-family development.

Please include this letter in the record of all proceedings on this matter, and please call me to discuss any questions or concerns that you may have.

Respectfully,

Ed Moore, AICP
Regional Representative

- c. Gloria Gardiner, Urban Planning Specialist
- Bill Holmstrom, Transportation Planner
- Darren Nichols, Community Services Manager
- File



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development Community Services Division

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October 12, 2010

Didi Thomas
Central Point Planning Department
City of Central Point
140 S Third St
Central Point OR 97502



Subject: Proposed Code amendment to Section 17.75, Local File # 11006; DLCD File # PAPA 005-10

Dear Ms. Thomas,

Thank you for giving the department the opportunity to review the proposed amendment to establish design and development standards for commercial development in Central Point.

Generally the department is very pleased with this and other recent plan amendments to Central Point's development code that exemplify many smart development principles which will help Central Point achieve its goal of being a vibrant place to live and do business. Remember, when you begin your work on drafting design and development standards for residential development, they will need to be "clear and objective". The city may want to consider having a 2-track process for residential development; one that uses "clear and objective standards" and a second that an applicant can use that that is more descretionary, but has benefits for both the city and the developer.

We look forward to reviewing you proposed design and development standards for industrial and residential development in the future. Please do not hesitate to call if you would like us to participate or provide technical support in any way.

Please include this letter in the record of all proceedings on this matter, and please call me to discuss any questions or concerns that you may have.

Respectfully,

Ed Moore, AICP
Regional Representative

- c. Gloria Gardiner, Urban Planning Specialist
- Bill Holmstrom, Transportation Planner
- Darren Nichols, Community Services Manager
- File

**FINDINGS OF FACT
AND
CONCLUSIONS OF LAW
File No: 10010**

INTRODUCTION

Consideration of text amendments as presented in Attachments “A – D” to sections of Title 17 of the Central Point Municipal Code to; 1) correct redundancies and relax *large retail establishment* size restrictions in the C-4 zone; 2) restructure the site plan and architectural review process; 3) revise parking standards; and 4) introduce new design standards.

These findings are prepared in four (4) parts to address the statewide planning goals, the applicable elements of City’s Comprehensive Plan, public facilities and the Transportation Planning Rule as required by CPMC 17.05.500 and 17.10.600.

PART 1 CPMC LEGISLATIVE AMENDMENT

17.10.200 Legislative amendments.

Legislative amendments are policy decisions made by city council. They are reviewed using the Type IV procedure in Section 17.05.500 and shall conform to the statewide planning goals, the Central Point comprehensive plan, the Central Point zoning ordinance and the transportation planning rule provisions in Section 17.10.600, as applicable.

Finding: The Central Point City Council directed staff to prepare code amendments to relax size restrictions for large retail establishments in the Tourist and Office Professional (C-4) Zoning District and to make corresponding changes elsewhere in Chapter 17 to maintain code integrity and objectivity. These amendments are reviewed as a Legislative amendment using the Type IV procedure in conformance with Section 17.10.200.

Conclusion: A text amendment is reviewed as a Type IV, Legislative decision.

17.05.500 Type IV procedure (legislative).

G. Decision-Making Criteria. The recommendation by the planning commission and the decision by the city council shall be based on the following factors:

- 1. Whether the request is consistent with the applicable statewide planning goals;*
- 2. Whether the request is consistent with the comprehensive plan; and*
- 3. If the proposed legislative change is particular to a particular site, the property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided concurrently with the development of the property.*

PART 2 STATEWIDE PLANNING GOALS:

17.05.500 G. 1. *Whether the request is consistent with the applicable statewide planning goals;*

GOAL 1. CITIZEN INVOLVEMENT - *To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

Finding, Goal 1: The proposed text amendments do not enhance, or detract, from citizen participation in the City's planning process. A duly noticed public hearing is scheduled for November 2, 2010 to review the proposed text amendment.

Conclusion, Goal 1: Consistent.

GOAL 2. LAND USE PLANNING - *To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

Finding Goal 2: Element I of the Central Point Comprehensive Plan addresses the Goal 2 requirement that plans and implementing ordinances be revised on a periodic cycle to take into account changing public policies, community attitudes and other circumstances; as such the proposed code amendments provide a process and policy framework as a basis for land use decisions.

Finding Goal 2: The proposed text amendments are in accordance with CPMC Section 17.10.200 and therefore do not modify or otherwise affect the City's planning process as set forth in the Comprehensive Plan. The proposed text amendments serve to clarify current code language by providing clear and measurable standards.

Conclusion Goal 2: Consistent.

Goal 3. AGRICULTURAL LANDS - *To preserve and maintain agricultural lands.*

Finding Goal 3: The proposed text amendments do not involve, or otherwise affect lands designated for agricultural use.

Conclusion Goal 3: Not applicable.

Goal 4. FOREST LANDS - *To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.*

Finding, Goal 4: The proposed text amendments do not involve, or otherwise affect lands designated for forest use.

Conclusion, Goal 4: Not applicable.

GOAL 5. OPEN SPACE, SCENIC AND HISTORIC AREAS, AND NATURAL RESOURCES - *To protect natural resources and conserve scenic and historic areas and open spaces.*

Finding Goal 5: The proposed text amendments do not involve, or otherwise affect lands designated as natural, scenic, or historic resources.

Conclusion Goal 5: Not applicable.

GOAL 6 AIR, WATER, AND LAND RESOURCES QUALITY - *To maintain and improve the quality of the air, water and land resources of the state.*

Finding Goal 6: The proposed text amendments to Section 17.44, Tourist and Office Professional District and Section 17.72, Site Plan and Landscaping Approval do not involve, or otherwise affect regulations managing the quality of air, water and land resources.

Finding Goal 6: The proposed text amendments to Section 17.64, Off-Street Parking and Section 17.75, Design Standards have the potential to improve air and water quality by the reduction in the total area of impervious surfaces and the introduction of best management practices for storm water runoff, solar orientation, building and landscaping development design.

Conclusion Goal 6: Consistent.

GOAL 7. AREAS SUBJECT TO NATURAL HAZARDS AND DISASTERS - *To protect people and property from natural hazards.*

Finding Goal 7: The proposed text amendment does not involve, or otherwise affect regulations protecting the citizens of Central Point from natural hazards.

Conclusion Goal 7: Consistent.

GOAL 8. RECREATION NEEDS - *To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.*

Finding Goal 8: The proposed text amendment does not involve, or otherwise affect the City's provision of necessary recreational facilities.

Conclusion Goal 8: Not applicable.

GOAL 9. ECONOMY OF THE STATE – *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

Finding Goal 9: The proposed text amendments do not alter the City's provision of adequate economic opportunities but they do place large retail establishments on an equitable basis with shopping centers, relaxing the size restrictions for large retail establishments.

Finding Goal 9: The proposed text amendment (Section 17.75, Design Standards) serves to clarify current code language by providing clear and measurable standards specifically for uses within the Tourist and Office Professional (C-4) District; a better process for land use application review (Section 17.72, Site Plan and Architectural Review); and objective standards for off-street parking and architectural design. These changes make the development process more predictable for new business owners.

Conclusion Goal 9: Consistent.

GOAL 10. HOUSING – *To provide for the housing needs of citizens of the state.*

Finding Goal 10: Aside from establishing a maximum amount of off-street parking (Section 17.64, Off-Street Parking) the proposed text amendments do not alter, or otherwise affect regulations and development standards that would impact the City's housing needs.

Conclusion Goal 10: Consistent.

GOAL 11. PUBLIC FACILITIES AND SERVICES – *To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

Finding Goal 11: The proposed text amendments to Section 17.44, Tourist and Office Professional District and Section 17.72, Site Plan and Landscaping Approval do not involve, or otherwise affect the City's provision of timely, orderly and efficient public facilities and services. The proposed text amendment does not cause an increase in the demand for public facilities and services not already available within the City.

Finding Goal 11: The proposed text amendments to Section 17.64, Off-Street Parking and Section 17.75, Design Standards have the potential to compliment the City's provision of timely, orderly and efficient public facilities and services by improving general connectivity, circulation and access; enhancing parking lot design and introducing sustainable site and building design techniques. The proposed text amendments do not cause an increase in the demand for public facilities and services not already available within the City.

Conclusion Goal 11: Consistent.

GOAL 12. TRANSPORTATION - *To provide and encourage a safe, convenient and economic transportation system.*

Finding Goal 12: The proposed text amendment is consistent with the City's Transportation System Plan (see Part 3, Transportation).

Finding Goal 12: The text amendment to Section 17.44, relaxes the individual size restrictions for uses in this zoning district but it does not change the type or number of uses permitted by right or allowed as a conditional use (see Part 3, Transportation).

Conclusion Goal 12: Consistent.

GOAL 13 ENERGY - *To conserve energy.*

Finding Goal 13: The proposed text amendments to Section 17.44, Tourist and Office Professional District and Section 17.72, Site Plan and Landscaping Approval do not involve, or otherwise affect development standards or regulations that address the conservation of energy.

Finding Goal 13: The proposed text amendments to Section 17.64, Off-Street Parking and Section 17.75, Design Standards have the potential to improve energy conservation by improving general connectivity, circulation and access; enhancing parking lot design and introducing sustainable site and building design techniques.

Conclusion Goal 13: Consistent.

GOAL 14. URBANIZATION - *To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.*

Finding Goal 14: The proposed text amendments do not involve, or otherwise affect, regulations addressing and regulating the transition from rural to urban lands.

Conclusion Goal 14: Not applicable.

GOAL 15. WILLAMETTE GREENWAY - *To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.*

Finding Goal 15: The proposed text amendments do not involve, or otherwise affect the Willamette River or Willamette River Greenway.

Conclusion Goal 15: Not applicable.

GOAL 16. ESTUARINE RESOURCES - *To recognize and protect the unique environmental, economic, and social values of each estuary and associated wetlands; and to protect, maintain, where appropriate develop, and where appropriate restore the long-term environmental, economic, and social values, diversity and benefits of Oregon's estuaries.*

Finding Goal 16: The proposed text amendments do not involve, or otherwise affect estuaries and associated wetlands.

Conclusion Goal 16: Not applicable.

GOAL 17. COASTAL SHORELANDS - *To conserve, protect, where appropriate, develop and where appropriate restore the resources and benefits of all coastal shorelands, recognizing their value for protection and maintenance of water quality, fish and wildlife habitat, water-dependent uses, economic resources and recreation and aesthetics. The management of these shoreland areas shall be compatible with the characteristics of the adjacent coastal waters; and To reduce the hazard to human life and property, and the adverse effects upon water quality and fish and wildlife habitat, resulting from the use and enjoyment of Oregon's coastal shorelands.*

Finding Goal 17: The proposed text amendments do not involve, or otherwise affect coastal shorelands.

Conclusion Goal 17: Not applicable.

GOAL 18. BEACHES AND DUNES - *To conserve, protect, where appropriate develop, and where appropriate restore the resources and benefits of coastal beach and dune areas; and to reduce the hazard to human life and property from natural or man-induced actions associated with these areas.*

Finding Goal 18: The proposed text amendments do not involve, or otherwise affect coastal beach or dune areas.

Conclusion Goal 18: Not applicable.

GOAL 19. OCEAN RESOURCES - *To conserve marine resources and ecological functions for the purpose of providing long-term ecological, economic, and social value and benefits to future generations.*

Finding Goal 19: The City of Central Point is not adjacent to, or near the ocean. The proposed text amendments do not involve, or otherwise affect marine resources and marine ecological functions.

Conclusion Goal 19: Not applicable.

PART 3 CITY OF CENTRAL POINT COMPREHENSIVE PLAN

17.05.500 (G) (2)(m) *The request is consistent with the Central Point comprehensive plan;*

Finding: The amendments are consistent with the comprehensive plan and serve to clarify current code language by eliminating redundancy and providing clear and measurable standards.

Finding: The text amendment to Section 17.44, relaxes the size restrictions for large retail establishments in the zoning district without changing the definition of said establishments. This correction is consistent with CPMC Section 17.10.100 in that it reflects changing community conditions, needs and desires.

Conclusion: Consistent

1. Transportation

Finding: The City of Central Point Transportation System Plan 2030 (TSP) replaces Chapter XI, Circulation/Transportation of the Comprehensive Plan. The TSP provides an inventory of the City's existing transportation system, including street standards. This element of the Comprehensive Plan addresses Statewide Planning Goal 12, Transportation.

The proposed text amendments to Section 17.64, Off-Street Parking and Loading and Section 17.75, Design Standards implement Goal 6.1 and 6.2 of the City's Transportation System Plan as relates to parking. The proposed text amendments to Section 17.64 establish a maximum amount of parking allowed by use and establishes connectivity and landscaping standards for all parking lots.

Finding: The proposed text amendment will not cause an increase in land uses that would result in levels of travel or access that would be inconsistent with the City's functional street classification system for existing and planned transportation facilities. The text amendment to Section 17.44, relaxes the size restrictions for large retail establishments in the C-4 zoning district, treating large retail establishments the same as shopping centers, which have no size limitation and are a permitted use in the C-4 district. From a land use and transportation perspective the removal of the size limitation on large retail establishments is consistent with the uses currently permitted within the C-4 district.

Conclusion: Consistent

PART 4 TRANSPORTATION PLANNING RULE

17.10.600 Transportation planning rule compliance.

Section 660-012-0060(1) *Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. A plan or land use regulation amendment significantly affects a transportation facility if it would:*

- a) Change the functional classification of an existing or planned transportation facility;*
- b) Change standards implementing a functional classification system; or*
- c) As measured at the end of the planning period identified in the adopted transportation system plan:*
 - (A) Allow types or levels of land uses that would result in levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
 - (B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or*
 - (C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.*

Finding 660-012-0060(1)(a): The proposed text amendments serve to provide clear and measurable code standards while resolving the current redundant language or the absence of measurable standards. The proposed text amendment will not cause any changes to the functional classification of any existing or planned transportation facilities.

Conclusion 660-012-0060(1)(a): No significant affect.

Finding 660-012-0060(1)(b): The proposed text amendments will not cause a change to standards for the City's functional classification system.

Conclusion 660-012-0060(1)(b): No significant affect.

Finding 660-012-0060(1)(c)(A): The proposed text amendments will not cause an increase in land uses that would result in levels of travel or access that would be inconsistent with the City's functional street classification system for existing and planned transportation facilities. Relaxing of restrictions on the size of large retail establishments serves to remove the discriminatory restriction on the size of large retail establishments vs. shopping centers, which have no size restriction and are permitted uses within the C-4 district.

Conclusion 660-012-0060(1)(c)(A): No significant affect.

Finding 660-012-0060(1)(c)(B): A determination that large retail establishments greater than 80,000 square feet in area as a permitted use are similar to other allowed uses in the C-4 district will not cause the performance of an existing or planned transportation facility to fall below acceptable performance standards. Only at such time as a large retail establishment is actually developed would there be a demand on the City's transportation facilities that may, or may not, affect the transportation's minimum level of performance. As proposed, a large retail establishment would be allowed as a permitted use and subject to compliance with all development standards of the City, including the Transportation System Plan.

It is possible that the development of any use permitted in the C-4 district, large retail establishments included, could cause a reduction in the minimum level of service, in which case the development proposal would be responsible for the mitigation of traffic impacts to acceptable levels. Section 17.05.900 Traffic Impact Analysis contains provisions for the evaluation of a development's traffic impacts and mitigation of those impacts to acceptable minimum levels.

Conclusion, 660-012-0060(1)(c)(B): A determination that large retail establishments in excess of 80,000 square feet will not cause a reduction of performance standards to existing or planned transportation facilities below minimum acceptable standards.

Finding 660-012-0060(1)(c)(C): See Finding 660-012-0060(1)(c)(B).

Conclusion 660-012-0060(1)(c)(C): See Conclusion 660-012-0060(1)(c)(B).

(2) Where a local government determines that there would be a significant effect, compliance with section (1) shall be accomplished through one or a combination of the following:

(e) Providing other measures as a condition of development or through a development agreement or similar funding method, including transportation system management measures, demand management or minor transportation improvements. Local governments shall as part of the amendment specify when measures or improvements provided pursuant to this subsection will be provided.

Summary Conclusion: As proposed, the text amendments are in conformance with the acknowledged Comprehensive Plan, Transportation System Plan and Central Point Municipal Code.

“ATTACHMENT “G”

PLANNING COMMISSION RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION FORWARDING A FAVORABLE RECOMMENDATION TO THE CITY COUNCIL TO CONSIDER AMENDMENTS TO THE MUNICIPAL CODE ZONING TITLE 17.44 TOURIST AND PROFESSIONAL OFFICE, 17.64 OFF-STREET PARKING AND LOADING STANDARDS, AND 17.72, SITE PLAN AND LANDSCAPING PLAN APPROVAL, AND THE ADDITION OF 17.75, DESIGN STANDARDS

WHEREAS, on May 17, 2010, at the direction of the City Council the Planning Commission of the City of Central Point, commenced consideration of amendments to Section 17.44 Tourist and Office Professional District, Section 17.64 Off-Street Parking and Loading Standards, Section 17.72 Site Plan and Landscaping Plan Approval, and the addition of a new section 17.75 Development Design Standards; and

WHEREAS, after numerous open meetings to discuss proposed changes to Sections 17.44, 17.64, and 17.72 the Planning Commission set the November 2, 2010 Planning Commission meeting for a public hearing to take testimony on the proposed changes; and

WHEREAS, on November 2, 2010 the Planning Commission, held a public hearing to consider public testimony on the proposed amendments; and

WHEREAS, after reviewing the requested proposal and considering public testimony it is the determination of the Planning Commission that the proposed amendments as set forth in Exhibit “A” and supported by the findings in Exhibit “B” are consistent with all applicable goals, objectives, and policies of the City’s Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Central Point, Oregon that the amendments as set forth in Exhibit “A” be forwarded to the City Council with a recommendation that the City Council favorably consider amending the City of Central Point Municipal Code as specifically set forth in the attached exhibit.

Passed by the Planning Commission and signed by me in authentication of its passage this 2nd day of November, 2010.

Planning Commission Chair

ATTEST:

City Representative

Approved by me this _____ day of _____, 2010.

Planning Commission Chair

**TRANSPORTATION GROWTH
MANAGEMENT GRANT**

PLANNING DEPARTMENT MEMORANDUM

DATE: November 2, 2010

TO: Central Point Planning Commission

FROM: Tom Humphrey, AICP, Community Development Director

SUBJECT: Transportation Growth Management Grant – East Pine Street Corridor
Refinement Plan – Public Oversight Committee

BACKGROUND: As part of the City’s urbanization (infill/redevelopment) strategy, efforts are proposed to revitalize and redevelop the downtown as a high density, mixed-use urban center, which could potentially reduce the need to expand the urban growth boundary. In support of the City’s downtown revitalization plans, the City of Central Point Transportation System Plan (TSP) lists numerous Tier 1 projects for the downtown section of East Pine Street between Front Street and Freeman Road (“Pine Street”). These improvements include traffic calming, signals, crosswalks, etc. that improve the vehicular, pedestrian, transit, and bicycle system along Pine Street.

PROJECT PURPOSE: At this time, there is no consensus on the design for Pine Street that will accommodate multi-modal objectives as an urban downtown thoroughfare. It is therefore the purpose of the East Pine Street Corridor Refinement Plan to (1) objectively evaluate design options, (2) to develop a consensus on a preferred plan, and (3) to adopt a final plan for implementation as part of the downtown’s revitalization plan and the multi-modal upgrade of Pine Street.

OBJECTIVES: The Project is intended to serve as a catalyst for the redevelopment of the downtown as a high density, mixed-use urban center by accomplishing the following objectives/outcomes:

Objective 1. Evaluate and compare the advantages and disadvantages of converting Pine Street from four lanes to three. This objective will be accomplished through the preparation of a comparative and comprehensive (vehicle/freight/bicycle/pedestrian) traffic analysis addressing capacity, Level of Service (LOS), safety, and traffic signal coordination. Analysis will be based on design years 2010, 2020, and 2034.

Objective 2. Identify streetscape alternatives for Pine Street that will increase the efficiency and availability of alternative modes of transportation, while promoting and supporting redevelopment of the downtown as a high-density, mixed-use urban center, including a balanced multi-modal design for Pine Street that will serve as a standard for streetscape improvements along Pine Street.

Objective 3. Develop, by consensus, a Preferred Plan and implementation strategy, including phasing and costs for the Preferred Plan.

Objective 4. Involve the public and include input throughout the design process.

Objective 5. Formalize the Preferred Plan through approval by the City of Central Point City Council as part of the City's TSP.

PUBLIC INVOLVEMENT: To ensure that there will be adequate public involvement throughout the planning process, a Public Oversight Committee will be formed. The purpose of the POC is to provide guidance on policy issues and input on design options to the Contractor throughout the planning process. Membership will consist of representation from the following:

- Downtown merchants
- Chamber of Commerce
- Planning Commission
- City Council
- CAC
- Freight Trucking Industry

Other public involvement elements will include interviews with East Pine Street business owners, open houses, and public hearings.

SCHEDULE: The Request for Proposals was released on October 8, 2010. We expect a consultant to be selected by early January with a project schedule developed shortly thereafter.

ACTION: Designate a Planning Commission member to serve on the Public Oversight Committee.